

## Coal Mining and Reclamation Permit Incidental Boundary Revision (IBR)

**Issued To:** AMERICAN ENERGY CORP  
43521 Mayhugh Hill Rd.  
Twp Hwy 88  
Beallsville, OH 43716

**Permit Number:** D-425  
**Application Number:** IBR-425-12  
**Acreage:** 0.30  
**Effective:** 10/04/2007  
**Expires:** 10/21/2009

**Telephone:** (740) 926-9152

**Type of Operation:** Underground (Longwall)

**Reason:** Area needed to drill gunite bore hole to underground mine

### LOCATION OF PERMIT AREA

NAME OF LANDOWNERS	T	R	SECTION	LOTS	TOWNSHIP	COUNTY
American Energy Corporation	6	5	3		WAYNE	BELMONT

The issuance of this IBR means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This IBR is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The approved water monitoring plan for this IBR is:

**Quality:** N/A

**Quantity:** N/A

**Note:** Any previous condition(s) imposed on this permit, or subsequent adjacent areas, also apply to this IBR unless noted otherwise.

**Signature:** Scott Kell<sup>HE</sup>  
Chief, Mineral Resources Management

**Date:** 10/04/2007

OPERATOR

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENTAPPLICATION FOR INCIDENTAL BOUNDARY REVISION (IBR)  
(This form cannot be utilized for the removal of coal)

1. Applicant's Name: American Energy Corporation
2. Address: 43521 Mayhugh Hill Road  
City, State, Zip: Beallsville, Ohio 43716  
Telephone: 740-926-9152
3. Coal Mining Permit Number: D-0425 Mine Name Century Mine
4. Additional acres to be permitted: 0.3 MSHA # 33-01070
5. Acres to be deleted N/A
6. Has this acreage been affected under this permit?  
☒ Yes, ☐ No If "yes," list violation number(s).  
**No violation**
- Has this acreage previously been affected by other activities other than this permit?  
☐ Yes, ☒ No If "yes," describe:
7. Describe the reason this additional acreage is required.  
**A hole has been drilled into the deep mine for gunite material to be delivered to the mine.**
8. Describe the activities to be conducted on this area.  
**A drill hole has been installed and gunite material is being transported through the drill hole to the mine. See Addenda to Item 8.**

9. List all surface and mineral owners within the IBR area.

Surface and Mineral Owner Names	County	Township	Section	Lot	T-	R-
Name <b>American Energy Corp.</b> Address <b>43521 Mayhugh Hill Rd.</b> City <b>Beallsville</b> State <b>Ohio</b> Zip <b>43716</b> Surface <input checked="" type="checkbox"/> Mineral <input checked="" type="checkbox"/>	<b>Belmont</b>	<b>Wayne</b>	<b>3</b>	<b>N/A</b>	<b>6</b>	<b>5</b>
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						

Addendum to IBR, Item 8  
American Energy Corporation  
D-0425

An 8" diameter hole was drilled using a conventional drill, 289 feet deep, to access the mine void. The drill hole is lined with a steel casing 7 3/4" inside diameter, with a 6" diameter casing inside. Grouting was placed between the 7 3/4" and 6" casings for stability. A 2" feed line was inserted through the steel casing to supply the mine with gunite material. The drill hole material was placed in a pond east (Pond 002) of the drill hole site.

The hole can be utilized for any of the following:

- Gunite Delivery Hole – We are currently and primarily using the drill hole to drop our Gunite material to the mine bottom for distribution, this will continue throughout the life of mine.
- Communications – In the event of a mine emergency the drill hole can be used as a back up to drop communications to mine employees.
- Power – The drill hole could be used for an additional avenue to service other underground applications (mining, safety, etc.)

The drill hole is in use at this time. The equipment surrounds the hole with the 2" feed line. For safety purposes, a construction fence will be installed around the drill hole.

When no longer required, or when the coal reserves have been exhausted, the drill hole will be sealed using non-toxic, non-acidic impervious material and the disturbed area around the hole will be reclaimed. See Typical Bore Hole and Sealing Plan.

There will be no adverse hydrologic consequences as a result of the drilling or operations involved with the gunite drill hole. Aquifers were not dewatered or contaminated during drilling of the gunite hole. Aquifer zones below the approximate 990 elevation were encountered during the drilling, however, the hole was sealed with steel casing and grout. No domestic developed ground water sources exist within 1000 feet of the gunite hole.

The drill hole material was placed in a pond (Pond 002) east of the drill hole site. Drill hole information in the general area of the gunite hole indicates predominantly shale and limestone strata. Toxics in the drill material were minimal, and were blended with non-toxics for neutralization when placed in the pond. Water covering the drill materials will prevent oxidation.



10. Is any owner, holder or purchaser listed in item 9, a business entity other than a single proprietorship?

Yes ☒ No ☐ If "yes," submit Other Business Entities. See updated "Other Business Entities" in recently submitted IBR-0425-11.

11. Is any part of this IBR application area adjacent (within 100') to any lands, which are not owned by those persons identified in item 9?

Yes ☐ No ☒ If "yes," submit Adjacent Owners

12. Identify the right of entry documentation that is being provided that allows for coal mining operations on this IBR area:

☐ A copy of the right-of-entry documents attached as addenda, or

☒ A Right-of-Entry Affidavit

**See Right-of-Entry Affidavit**

13. Has the private mineral estate (coal) been severed from the private surface estate?

Yes ☐ No ☒ If "yes," indicate which documentation is provided:

☐ Surface Owners' Consent

☐ A copy of the document of conveyance that allows the proposed activities

☐ If the document of conveyance does not expressly allow the proposed activities, documentation that under state law the applicant has the legal authority to conduct the proposed activities.

14. Does the IBR application area include any area dedicated as a nature preserve pursuant to Chapter 1517 Ohio Revised Code?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

15. Does the IBR application area include any area within one thousand feet of the waterlines of any wild, scenic or recreational river dedicated pursuant to Chapter 1501 Ohio Revised Code?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

RIGHT-OF-ENTRY AFFIDAVIT

Applicant's Name **American Energy Corporation**

RIGHT-OF-ENTRY AFFIDAVIT

State of Ohio, **Belmont** County, ss. **Fred M. Blumling** being first duly sworn, says that the following described documents convey to the applicant the legal right explained below and is a subject of litigation as shown below.

Type of document **Deed**

Execution Date **September 30, 1997**

Expiration Date **N/A**

Parties: From **Wyoming Pochantas** to **American Energy Corporation**

Description of land: Number of Acres **152.624**

County **Belmont** Township **Wayne**

Section **2** Lot **1**

Explanation of legal rights claimed **All rights of ownership.**

Pending litigation Yes ☐ No ☒

*Fred M. Blumling* 10/10/06 Environmental Engineer  
Signature of Affiant Date Position

Sworn to before me and subscribed in my presence this 10<sup>th</sup> day of,  
October, 2006

*Ellen M. Greer*  
Notary Public

ELLEN M. GREER, Notary Public  
State of Ohio  
My Commission Expires September 23, 2011

Part 1: Section C

16. Does the IBR application area include any area within the boundaries of the following systems: national park, national wildlife refuge, national trails, national wilderness preservation, national recreational areas or wild and scenic rivers or river corridors including those rivers under study?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

17. Does the IBR application area include any federally owned lands within the boundaries of any national forest?

Yes ☐ No ☒ If "yes," submit approval of U.S. Secretary of Interior or proof of valid existing rights.

18. Will operations conducted within this IBR adversely affect any publicly owned park or places included on the National Register of Historic Places?

Yes ☐ No ☒ If "yes," submit joint approval from the chief and the federal, state or local agency with jurisdiction over the park or places or proof of valid existing rights and describe the measures to be used to prevent or minimize these impacts.

19. Will operations conducted within this IBR affect land within one hundred feet of the outside right-of-way of a public road or result in mining through a public road?

Yes ☐ No ☒ If "yes," list the public road(s) in the space below and submit Public Road Consent or proof of valid existing rights.

20. Will operations conducted within this IBR affect land within three hundred feet of any occupied dwelling?

Yes ☐ No ☒ If "yes," list the name of the owner(s) in the space below and submit Occupied Dwelling Consent or proof of valid existing rights.

21. Will operations conducted within this IBR affect land within three hundred feet of any public building, school, church, community or institutional building or public park?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

ARCHEOLOGY - SURFACE

1. Applicant's Name **American Energy Corporation**  
Address **43521 Mayhugh Hill Road**  
City **Beallsville** State **Ohio** Zip **43716**
2. Contact Person **Jack A. Hamilton & Assoc., Inc.** Phone **740-968-4947**
3. Location and Acreage Information  
County **Belmont** Township **Wayne**  
Section **3** Lot(s) **T-6, R-5**  
USGS Quadrangle **Hunter** Acreage **0.3**
4. Application Map Attached: (area described in 3 above is to be outlined on the map)
5. Previous Disturbance:

☐ present; ☒ absent within application area only (Note: previous disturbance is any type of natural or human made disturbance to the topsoil and subsoil in the application area prior to submittal. Examples include, but are not limited to, slides, severe erosion, previous mining activities, clear cut logging, recreational activities, etc., but not agricultural plowing and discing.)

If previous disturbance is present, list below and clearly delineate the extent of each type of disturbance on the application map to be sent to the SHPO by the division. Attach addendum, if necessary.

Type of Disturbance	Date Occurred	Percent of Application	Map Symbol

## 6. Current Land Use: (describe land use and percent of land in that use)

Agricultural: 0%

Residential: 0%

Mining: 0%

Pasture: 0%

Secondary Forest Growth: 0%

Has area been clear cut logged? Yes ☐, No ☒

If "yes," indicate approximate date(s) of logging. 0%

Other: **Undeveloped: 100%**

## 7. Historic and Prehistoric Structures:

Definitions

A historic or prehistoric structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by humans, and 50 years or older, it is usually an engineering project.

Types

Historic structures include, but are not limited to dwellings, buildings, barns, farmstead outbuildings, bridges, culverts, churches, schools, halls, iron furnaces (and associated buildings), canals, forts, abandoned coal mine buildings, mine entrances, tipples and related structures, etc.

Prehistoric structures include, but are not limited to, earthworks, mounds, rockshelters, etc.

List all known historic and prehistoric structures below and locate each one on the application map to be sent to the SHPO including corresponding labeled black and white, front and rear photographs of each structure. Attach addendum, if necessary.

Structure Type	Construction Date	Map Reference	Photo # Front	Photo # Rear
<b>None</b>				

8. Previous Historic and/or Archeological Surveys: (describe any surveys known to applicant on the application area or adjacent areas)

Application area: **None**

Adjacent areas: **None**

9. **SHPO please send this form to:**  
Division of Mineral Resources Management  
Attn: Division Archeologist  
2045 Morse Road, Building H-3  
Columbus, Ohio 43229-6693

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**FOR USE BY THE STATE HISTORIC PRESERVATION OFFICE ONLY**

(check appropriate space)

- A. ☐ This is a recommendation for an archeological survey of the application based on the following reasons (attach addendum, if necessary):

**None**

A SHPO review of the area shown on the application map has provided a listing below of all known historic and prehistoric properties listed and eligible for listing on the "National Register of Historic Places" and known historic and prehistoric sites on the application area and adjacent areas (in a 1.5 mile radius). The listing includes, when appropriate, those historic and prehistoric structures identified by the applicant in items 7 and 8 above.

Listed and Eligible National Register Sites

Site Name (#)	Type	Application Area	Adjacent Area

Known Historic and Prehistoric Sites

Site Name (#)	Type	Application Area	Adjacent Area

- B. ☒ A SHPO review of the area shown on the application map and information contained in this form finds that the proposed mining does not have a reasonable probability of affecting any properties listed or eligible for listing on the "National Register of Historic Places." Therefore, no further coordination will be necessary with this office unless the scope of the application area changes.

State Historic Preservation Officer \_\_\_\_\_

SHPO # \_\_\_\_\_

Date \_\_\_\_\_

22. Will operations conducted within this IBR affect land within one hundred feet of a cemetery?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights or appropriate authorization to relocate the cemetery.

23. Is this IBR application area within an area designated unsuitable for coal mining operations or under study for designation in an administrative proceeding?

Yes ☐ No ☒

If "yes," did the applicant make substantial legal and financial commitments in this IBR application area prior to January 4, 1977? Yes ☐ No ☐ If "yes," provide documentation supporting the assertion that the commitments were made prior to January 4, 1977.

24. In order to address the nature of cultural, historic and archeological resources, submit Archeology - Surface.

25. Describe the uses of the land existing at the time of the filing of this IBR application area and provide a map delineating the area and acreage of each land use.

**The proposed I.B.R. area was composed entirely of undeveloped land. See I.B.R. Map.**

26. Describe the use of the land, including the creation of permanent impoundments, that is proposed to be made of the land following reclamation, including information regarding the utility and capacity of the reclaimed land to support a variety of alternative uses. Provide a map that delineates the area and acreage of each proposed land use, and submit assurance of maintenance for each permanent impoundment.

**The use of the land following reclamation will be pastureland. See I.B.R. Map.**

**The post-mining land use for this area will be aesthetically appropriate and corresponds with adjacent land uses. Grasses and legumes will be used as a cover crop. Following reclamation, the capability and productivity of the land will be greater than that at the present time. The reclaimed land could sustain other agricultural or recreational uses.**



27. Submit Surface Owner Comments from the legal or equitable owner(s) of record of the IBR application area concerning the proposed land use.

**See Surface Owner Comments - American Energy Corporation**

28. Is the post-mining land use to be different from the pre-mining land use?

Yes ☒ No ☐ If "yes," submit Land Use Change Notification.

29. Submit Negative PFL Determination for areas within this IBR application area that are not prime farmland.

Having considered the negative determinations, does this IBR application area include any land that is prime farmland? Yes ☐ No ☒

If "yes," submit PFL Restoration Plan or describe how this area will be avoided.

**See attached Negative PFL determination**

30. Are any of the variances listed below being requested?

Yes ☒ No ☐ If "yes," identify the variances and submit the applicable request(s) as an addendum.

☒ Stream buffer zone ☒ Small area drainage exemption

31. Will the proposed IBR area result in diversions of overland flow away from the disturbed area?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

32. Will the proposed IBR area result in construction of diversions to direct runoff through a sediment pond or a series of sediment ponds?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

33. Indicate which of the following are proposed to be constructed within this IBR application area, and provide the required engineering designs for each.

☒ Sedimentation pond(s) (submit Pond/Impoundment Plan)

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

SURFACE OWNER COMMENTS

TO: American Energy Corporation

FROM: American Energy Corporation

Location of Proposed Permit Area:

County/Twp: <b>Belmont / Wayne</b>	Lot/Section: <b>3</b>
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The proposed postmining land use(s) for your property is/are checked below:

<input type="checkbox"/>	Cropland	<input type="checkbox"/>	Residential Land Use
<input checked="" type="checkbox"/>	Pasture Land	<input type="checkbox"/>	Forest
<input type="checkbox"/>	Grazing Land	<input type="checkbox"/>	Undeveloped Land Use
<input type="checkbox"/>	Industrial Land Use	<input type="checkbox"/>	Fish & Wildlife
<input type="checkbox"/>	Commercial Land Use	<input type="checkbox"/>	Recreation Land Use
<input type="checkbox"/>	Developed Water Resources		

Pursuant to 1501:13-4-05(G)(2) of the Ohio Administrative Code, surface owner comments concerning the proposed postmining land use(s) for the proposed permit area are required. Please check the appropriate box below.

<input checked="" type="checkbox"/>	I concur with the proposed postmining land uses identified by the mine operator.
<input type="checkbox"/>	I DO NOT concur with the proposed postmining land uses.

COMMENTS:

*Fred M. Blumhagen*  
SIGNATURE OF SURFACE OWNER

10/10/06  
DATE

Please check each (if any) of the following listed wildlife enhancements that you would be interested in having on your property. **PLEASE NOTE:** Checking a box does not require the operator to provide any or all of selected enhancements. This form is a tool to help landowners better understand options that may be available through the coal company.

<input type="checkbox"/>	Tree/Shrub Plantings	<input type="checkbox"/>	Small Depressions
<input type="checkbox"/>	Ponds/Wetlands	<input type="checkbox"/>	Perching/Nesting Structures
<input type="checkbox"/>	Brushpiles	<input type="checkbox"/>	Other: <input type="checkbox"/>
<input type="checkbox"/>	Rockpiles	<input type="checkbox"/>	Other: <input type="checkbox"/>

**WAIVER STATEMENT (Optional for Surface Owner):** I, the above named surface owner, waive my right to comment on any revision to the permit application during the application review process that results in a change in the postmining land use(s) from those shown above. (NOTE: I DO NOT WAIVE MY RIGHT TO COMMENT ON ANY PROPOSED POSTMING LAND USE CHANGE AFTER PERMIT ISSUANCE.)

*Fred M. Blumhagen*  
SIGNATURE OF SURFACE OWNER

10/10/06  
DATE

Part 2: Section F

Ohio Department of Natural Resources  
Division of Mineral Resources Management

LAND USE CHANGE NOTIFICATION

TO: U.S. Fish and Wildlife  
Division of Ecological Services  
6950-H Americana Parkway  
Reynoldsburg, Ohio 43068

Division of Wildlife  
2045 Morse Road  
Building G-2  
Columbus, Ohio 43229-6693

**Note:** This form is to be completed only if a land use change is to occur.

1. Is a copy of the coal mine permit application currently on file with the Division of Mineral Resources Management? ☒ Yes, ☐ No.

2. Coal mine permit application no. or mine name **IBR-0425-12, Century Mine**

3. Application to revise permit no. **120000**

4. Applicant **American Energy Corporation**

Address **43521 Maynugh Hill Road**

City **Beallsville** State **Ohio** Zip **43716**

Phone no. **740-926-9152**

6. Application Location

County **Belmont** Township **Wayne**

Section **3** Lot **100** Acres **0.3**

Township **6** Range **5** Quadrangle **Hunter**

**Note:** only list land uses below that will change from the premining use

7. Pre-mining Land Use type and acreage:

**Undeveloped - 0.3 Acres**

8. Post-mining Land Use type and acreage:

**Pastureland - 0.3 Acres**

9. Revegetation Plan (SPECIES AND AMOUNTS)

10. Stream Variance Request ☐ Yes, ☒ No If "yes," indicate the percentage of tree cover within the 100' buffer zones. **100%**

**Notifications to U.S. Fish and Wildlife and Division of Wildlife must include a location map, and a map of the mine site showing where land use changes will occur. If "yes" to item 10 above, enclose a copy of Stream Buffer Zone Variance Request with each notification.**

**Part 2: Section F**

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

NEGATIVE PFL DETERMINATION

Applicant's Name **American Energy Corporation**

Check (X) the appropriate item numbers and attach the documents used to make the demonstration.

- ☐ 1. Lands within the application area have not been historically used for cropland.
- ☐ 2. The slope of the land within the application area is greater than eight percent.
- ☐ 3. The total prime farmland soil unit (inside **and** outside of the application area) is less than three acres.
- ☒ 4. On the basis of a second order soil survey meeting the standards of the National Cooperative Soil Survey, there are no soil map units within the application area that have been designated prime farmland by the U.S. Natural Resource Conservation Service.
- ☐ 5. On the basis of a first order soil survey commissioned by the applicant and meeting the standard of the National Cooperative Soil Survey, there were found to be no prime farmland map units as designated by the NRCS within the application area (see PFL Restoration Plan, item 2 for 1st order survey criteria).

Part 2: Section G

**Certification of Prime/Nonprime Farmland**

Name of Mine Operator *AMERICAN ENERGY CORPORATION*

Location of Permit Application Area *Sec 3, T-6 R-5 Wayne Twp.*

Size of Permit Area (Acres) *.5 AC*

**Check Appropriate Block:**

1. ☒ I have determined that this permit application DOES NOT contain prime farmland in accordance with the edition of the current county Prime Farmland Map Unit List found in the county Field Office Technical Guide.
2. ☐ I have found that this permit application CONTAINS prime farmland in accordance with the edition of the Prime Farmland Map Units for Ohio and for the current county Prime Farmland Map Unit List, whichever is more current.

A soil map has been attached and prime unit(s) are as follows:

**Soil Map Symbol**

**Map Unit Name**

Signature: \_\_\_\_\_

*Jeff Bettinger*  
Jeff Bettinger, Natural Resources Conservation Service  
1119 East Main St., Barnesville, OH 43713 (740) 425-1100 Ext. 112

IBK-0425-1

AEC 07672



Addendum to IBR-0425-12, Item 29  
American Energy Corporation

Addendum to I.B.R., Item 44, American Energy Corporation, D-0425

Chief  
ODNR Division of Mineral  
Resources Management  
2045 Morse Road Bldg. H-2  
Columbus, Ohio 43229-6693

Re: Small Area Drainage Exemption D-0425

Chief:

American Energy Corporation is hereby requesting a Small Area Drainage Exemption containing 0.3 acre. The S.A.D.E. is located in Section 3, Township 6, Range 5, Wayne Township on the south side of Township Road 87 as shown on the enclosed I.B.R. Map. This S.A.D.E. is for an area that has been affected by accessing the equipment necessary to drill a rock dust hole into the underground mine. The only disturbance consists of travel on an existing roadway, parking, and drilling.. The S.A.D.E. area will be promptly seeded and mulched for sediment control. Straw/hay bales will be used and maintained to control runoff from the disturbed area until vegetation is established. All runoff will meet the required effluent limitations.

Sincerely,

*Cathy M. Bickman*

APPROVED <input checked="" type="checkbox"/>
DISAPPROVED <input type="checkbox"/>
DATE: <u>10/4/07</u>
SIGNED <u>Scott Kell</u> <i>to</i>
Chief

OPERATOR

ORIGINAL

I.B.R. - 0425 - 1

33. Indicate which of the following are proposed to be constructed within this IBR application area, and provide the required engineering designs for each.

- ☐ Sedimentation pond(s) (submit Pond/Impoundment Plan)
- ☐ Water impoundments, including wetlands that impound water (submit Pond/Impoundment Plan)
- ☐ Sumps
- ☒ Other (specify) **None**

34. Are any roads to be constructed, used or maintained within this IBR application area?

Yes ☒ No ☐ If "yes," provide the required description and engineering designs.

The existing road will be utilized for ingress and egress as it exists with no planned modifications.

35. Are there any conveyor or rail systems to be constructed, used or maintained within this IBR application area?

Yes ☐ No ☒ If "yes," provide the required description and engineering designs.

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application and verify the information in this application as true and correct to the best of my information and belief.

Printed Name: **Fred M. Blumling**

Signature: Fred M. Blumling

Title: **Environmental Engineer**

Date Signed: \_\_\_\_\_

Sworn before me and subscribed in my presence this 29<sup>TH</sup> day of

JANUARY, 20 07.

Notary Public



JEAN M. SNYDER  
Notary Public, State of Ohio  
My Commission Expires March 28, 2007

Application for an Incidental Boundary Revision  
Revised 02/06  
DNR-744-9005

IBR-0425-12



FOR DIVISION USE ONLY

This application is hereby ☒ issued, ☐ disapproved

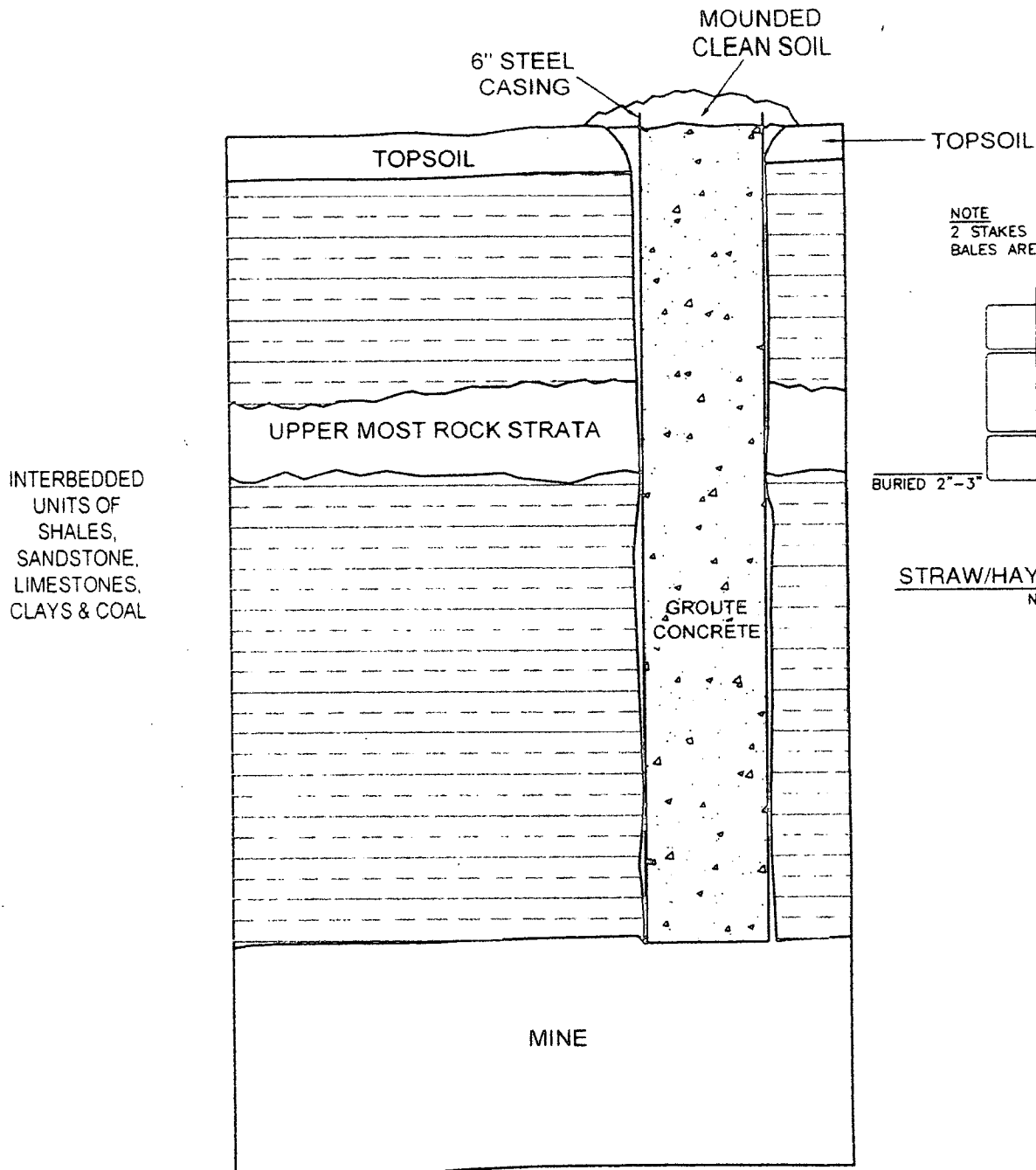
☒ The acreage identified in Item 4 of this application is now part of permit D-0425.

☐ The acreage identified in Item 5 of this application has been deleted from permit \_\_\_\_\_.

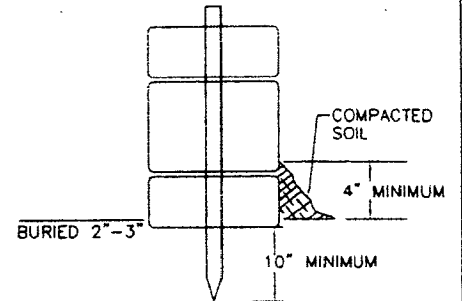
Date: 10/4/07

Signed: Scott Kell  
Chief, Division of Mineral Resources Mgmt.

\$ 750.00 of performance bond received on 9-25-07 and  
\$ \_\_\_\_\_ of acreage fee received on \_\_\_\_\_.



NOTE  
2 STAKES PER BALE  
BALES ARE 2' x 4'



STRAW/HAY BALE DETAIL  
N.T.S.

TYPICAL BORE HOLE AND SEALING PLAN  
N.T.S.



Michael S. Kearns P.E., M.S.

Date

AMERICAN ENERGY CORPORATION

CENTURY MINE  
43521 Mayhugh Hill Road  
Bealsville, Ohio 43716  
Addendum to IBR, Item 8

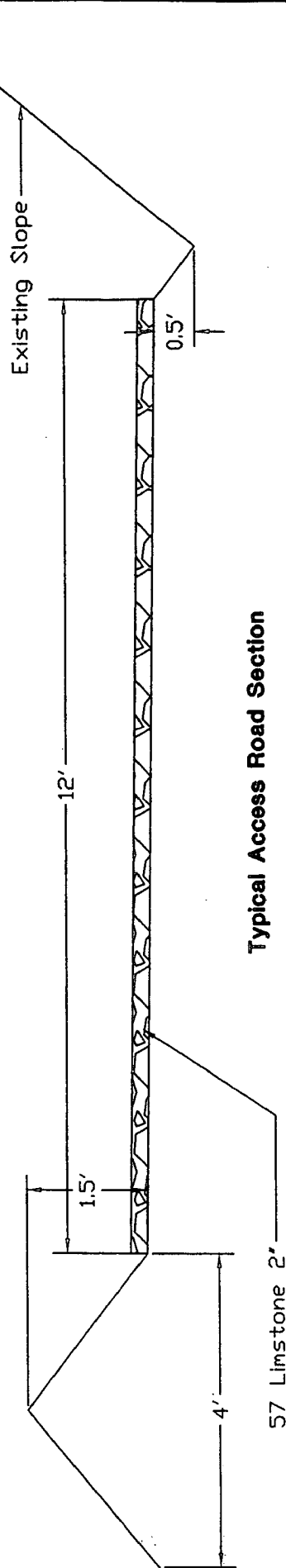
DRAWN BY: SSU SCALE: N.T.S. MAY 7, 2007



342 High St., Box 47  
Flushing, Ohio 43071  
Ph: (740) 968-4947  
Fax: (740) 968-4422  
e-mail: hamilton@aec.com  
www.hamilton-aec.com

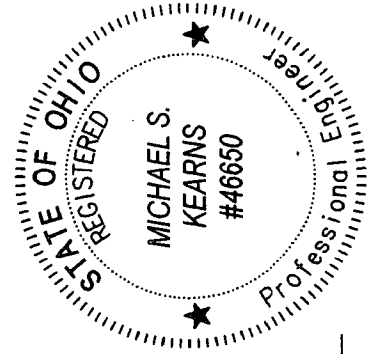
IBR-0425-12

AEC 07677



Typical Access Road Section

AMERICAN ENERGY CORPORATION CENTURY MINE	
Typical Access Road Section for IBR-0425-12	
DRAWN BY: TLB	DATE: 03/29/07
SCALE: 1" : 2'	DRAWING NO. Typ Access Road Section



*Michael S. Kearns*  
 Michael S. Kearns P.E., M.S.  
 Date 5-8-07





THE PRE-MINING LAND USE IS UNDEVELOPED.  
THE POST-MINING LAND USE WILL BE  
PASTURELAND.

INCIDENTAL BOUNDARY REVISION MAP  
PERMIT D-0425

American Energy Corporation  
43521 Mayhugh Hill Road  
Boalsville, Ohio 43716

AREA TO BE INCLUDED UNDER  
I.B.R. 0.3 ACRES.  
S.A.D.E. : 0.3 ACRE

SITUATED IN SECTION 3, T-6 R-5,  
WAYNE TOWNSHIP, BELMONT COUNTY, OHIO.

LOCATED ON THE HUNTER USGS  
7 1/2 MINUTE QUADRANGLE MAP.

SCALE: 1" = 400' CONTOUR INTERVAL: 20'

DATE PREPARED: Oct. 10, 2006

DATE REVISED: Jan. 19, 2007

\_\_\_\_\_, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS TRUE AND CORRECT.

MAP IS TRUE AND CORRECT.  
John A. Hamble  
REGISTERED SURVEYOR, P.S. #6524

ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC  
THIS 29th DAY OF May, 2007.

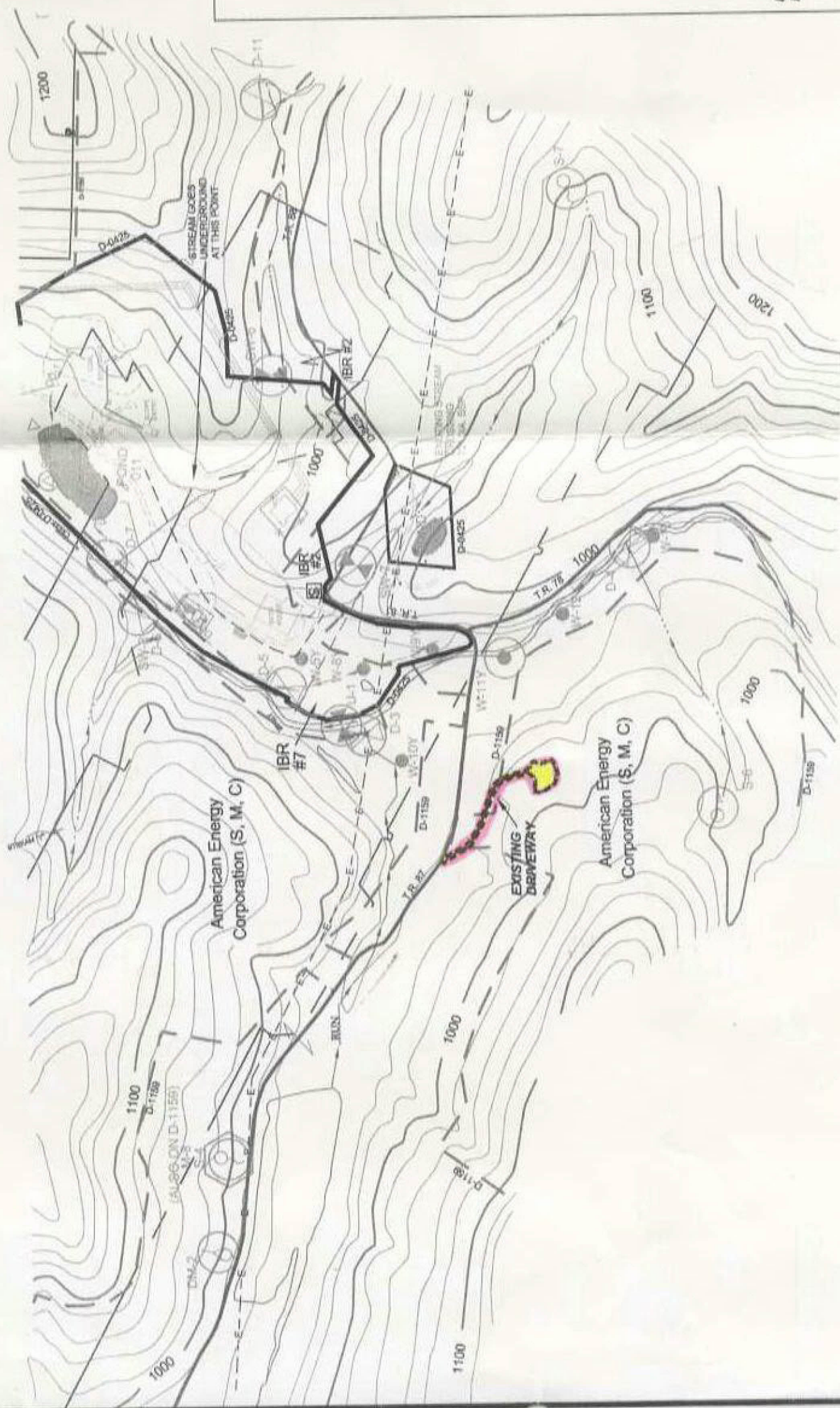
Interclubber

My Car - [www.mercedes-benz.com](http://www.mercedes-benz.com)

OPERATOR

COMM: #023001-12

IBR-0460





OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

APPLICATION FOR INCIDENTAL BOUNDARY REVISION (IBR)  
(This form cannot be utilized for the removal of coal)

1. Applicant's Name: American Energy Corporation
2. Address: 43521 Mayhugh Hill Road  
City, State, Zip: Beallsville, Ohio 43716  
Telephone: 740-926-9152
3. Coal Mining Permit Number: D-0425 Mine Name Century Mine
4. Additional acres to be permitted: 0.3 MSHA # 33-01070
5. Acres to be deleted N/A
6. Has this acreage been affected under this permit?  
☐ Yes, ☒ No If "yes," list violation number(s).
- Has this acreage previously been affected by other activities other than this permit?  
☐ Yes, ☒ No If "yes," describe:
7. Describe the reason this additional acreage is required.  
To provide a hole into the deep mine for gunnite material to be delivered to the mine.
8. Describe the activities to be conducted on this area.  
A drill hole will be installed and gunnite material will be transported through the drill hole to the mine. See Addendum to Item 8.

Addendum to IBR, Item 8  
American Energy Corporation  
D-0425

A 6 inch diameter hole was drilled using a conventional drill 289 feet deep for access to the mine. The hole may be utilized for any of the following:

- Gunnite Delivery Hole – We are currently and primarily using the bore hole to drop our Gunnite material to the mine bottom for distribution, this will continue throughout the life of mine.
- Communications – In the event of a mine emergency the bore hole can be used as a back up to drop communications to mine employees.
- Power – The bore hole could be used for an additional avenue to service other underground applications (mining, safety, etc.)

When no longer required, or when the coal reserves have been exhausted the drill hole will be sealed using non-toxic, non-acidic impervious material and the disturbed area around the hole will be reclaimed.

9. List all surface and mineral owners within the IBR area.

Surface and Mineral Owner Names	County	Township	Section	Lot	T-	R-
Name <b>American Energy Corp.</b> Address <b>43521 Mayhugh Hill Rd.</b> City <b>Beallsville</b> State <b>Ohio</b> Zip <b>43716</b> Surface <input checked="" type="checkbox"/> Mineral <input checked="" type="checkbox"/>	<b>Belmont</b>	<b>Wayne</b>	<b>3</b>	<b>N/A</b>	<b>6</b>	<b>5</b>
Name [REDACTED] Address [REDACTED] City [REDACTED] State [REDACTED] Zip [REDACTED] Surface <input type="checkbox"/> Mineral <input type="checkbox"/>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Name [REDACTED] Address [REDACTED] City [REDACTED] State [REDACTED] Zip [REDACTED] Surface <input type="checkbox"/> Mineral <input type="checkbox"/>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Name [REDACTED] Address [REDACTED] City [REDACTED] State [REDACTED] Zip [REDACTED] Surface <input type="checkbox"/> Mineral <input type="checkbox"/>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Name [REDACTED] Address [REDACTED] City [REDACTED] State [REDACTED] Zip [REDACTED] Surface <input type="checkbox"/> Mineral <input type="checkbox"/>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

10. Is any owner, holder or purchaser listed in item 9, a business entity other than a single proprietorship?

Yes ☒ No ☐ If "yes," submit Other Business Entities. See updated **"Other Business Entities" in recently submitted IBR-0425-11.**

11. Is any part of this IBR application area adjacent (within 100') to any lands, which are not owned by those persons identified in item 9?

Yes ☐ No ☒ If "yes," submit Adjacent Owners

12. Identify the right of entry documentation that is being provided that allows for coal mining operations on this IBR area:

☐ A copy of the right-of-entry documents attached as addenda, or

☒ A Right-of-Entry Affidavit

**See Right-of-Entry Affidavit**

13. Has the private mineral estate (coal) been severed from the private surface estate?

Yes ☐ No ☒ If "yes," indicate which documentation is provided:

☐ Surface Owners' Consent

☐ A copy of the document of conveyance that allows the proposed activities

☐ If the document of conveyance does not expressly allow the proposed activities, documentation that under state law the applicant has the legal authority to conduct the proposed activities.

14. Does the IBR application area include any area dedicated as a nature preserve pursuant to Chapter 1517 Ohio Revised Code?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

15. Does the IBR application area include any area within one thousand feet of the waterlines of any wild, scenic or recreational river dedicated pursuant to Chapter 1501 Ohio Revised Code?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005



16. Does the IBR application area include any area within the boundaries of the following systems: national park, national wildlife refuge, national trails, national wilderness preservation, national recreational areas or wild and scenic rivers or river corridors including those rivers under study?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

17. Does the IBR application area include any federally owned lands within the boundaries of any national forest?

Yes ☐ No ☒ If "yes," submit approval of U.S. Secretary of Interior or proof of valid existing rights.

18. Will operations conducted within this IBR adversely affect any publicly owned park or places included on the National Register of Historic Places?

Yes ☐ No ☒ If "yes," submit joint approval from the chief and the federal, state or local agency with jurisdiction over the park or places or proof of valid existing rights and describe the measures to be used to prevent or minimize these impacts.



19. Will operations conducted within this IBR affect land within one hundred feet of the outside right-of-way of a public road or result in mining through a public road?

Yes ☐ No ☒ If "yes," list the public road(s) in the space below and submit Public Road Consent or proof of valid existing rights.



20. Will operations conducted within this IBR affect land within three hundred feet of any occupied dwelling?

Yes ☐ No ☒ If "yes," list the name of the owner(s) in the space below and submit Occupied Dwelling Consent or proof of valid existing rights.



21. Will operations conducted within this IBR affect land within three hundred feet of any public building, school, church, community or institutional building or public park?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

Application for an Incidental Boundary Revision

Revised 02/06

DNR:744-9005

22. Will operations conducted within this IBR affect land within one hundred feet of a cemetery?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights or appropriate authorization to relocate the cemetery.

23. Is this IBR application area within an area designated unsuitable for coal mining operations or under study for designation in an administrative proceeding?

Yes ☐ No ☒

If "yes," did the applicant make substantial legal and financial commitments in this IBR application area prior to January 4, 1977? Yes ☐ No ☐ If "yes," provide documentation supporting the assertion that the commitments were made prior to January 4, 1977.

24. In order to address the nature of cultural, historic and archeological resources, submit Archeology - Surface.
25. Describe the uses of the land existing at the time of the filing of this IBR application area and provide a map delineating the area and acreage of each land use.

**The proposed I.B.R. area was composed entirely of undeveloped land. See I.B.R. Map.**

26. Describe the use of the land, including the creation of permanent impoundments, that is proposed to be made of the land following reclamation, including information regarding the utility and capacity of the reclaimed land to support a variety of alternative uses. Provide a map that delineates the area and acreage of each proposed land use, and submit assurance of maintenance for each permanent impoundment.

**The use of the land following reclamation will be pastureland. See I.B.R. Map. The post-mining land use for this area will be aesthetically appropriate and corresponds with adjacent land uses. Grasses and legumes will be used as a cover crop. Following reclamation, the capability and productivity of the land will be greater than that at the present time. The reclaimed land could sustain other agricultural or recreational uses.**

27. Submit Surface Owner Comments from the legal or equitable owner(s) of record of the IBR application area concerning the proposed land use.

**See Surface Owner Comments - American Energy Corporation**

28. Is the post-mining land use to be different from the pre-mining land use?

Yes ☒ No ☐ If "yes," submit Land Use Change Notification.

29. Submit Negative PFL Determination for areas within this IBR application area that are not prime farmland.

Having considered the negative determinations, does this IBR application area include any land that is prime farmland? Yes ☐ No ☒

If "yes," submit PFL Restoration Plan or describe how this area will be avoided.

**See attached Negative PFL determination**

30. Are any of the variances listed below being requested?

Yes ☒ No ☐ If "yes," identify the variances and submit the applicable request(s) as an addendum.

☐ Stream buffer zone ☒ Small area drainage exemption

31. Will the proposed IBR area result in diversions of overland flow away from the disturbed area?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

32. Will the proposed IBR area result in construction of diversions to direct runoff through a sediment pond or a series of sediment ponds?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

33. Indicate which of the following are proposed to be constructed within this IBR application area, and provide the required engineering designs for each.

☐ Sedimentation pond(s) (submit Pond/Impoundment Plan)

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005

**Certification of Prime/Nonprime Farmland**

Name of Mine Operator *American ENergy Corporation*

Location of Permit Application Area *Sect 3, T-6 R-5 Wayne Twp.*

Size of Permit Area (Acres) *.5 AC*

**Check Appropriate Block:**

1.



I have determined that this permit application DOES NOT contain prime farmland in accordance with the edition of the current county Prime Farmland Map Unit List found in the county Field Office Technical Guide.

2.



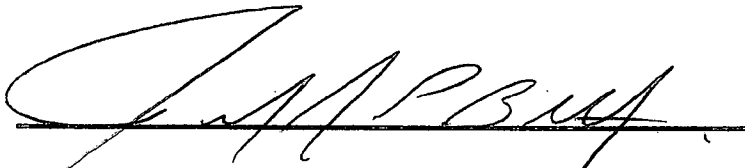
I have found that this permit application CONTAINS prime farmland in accordance with the edition of the Prime Farmland Map Units for Ohio and for the current county Prime Farmland Map Unit List, whichever is more current.

A soil map has been attached and prime unit(s) are as follows:

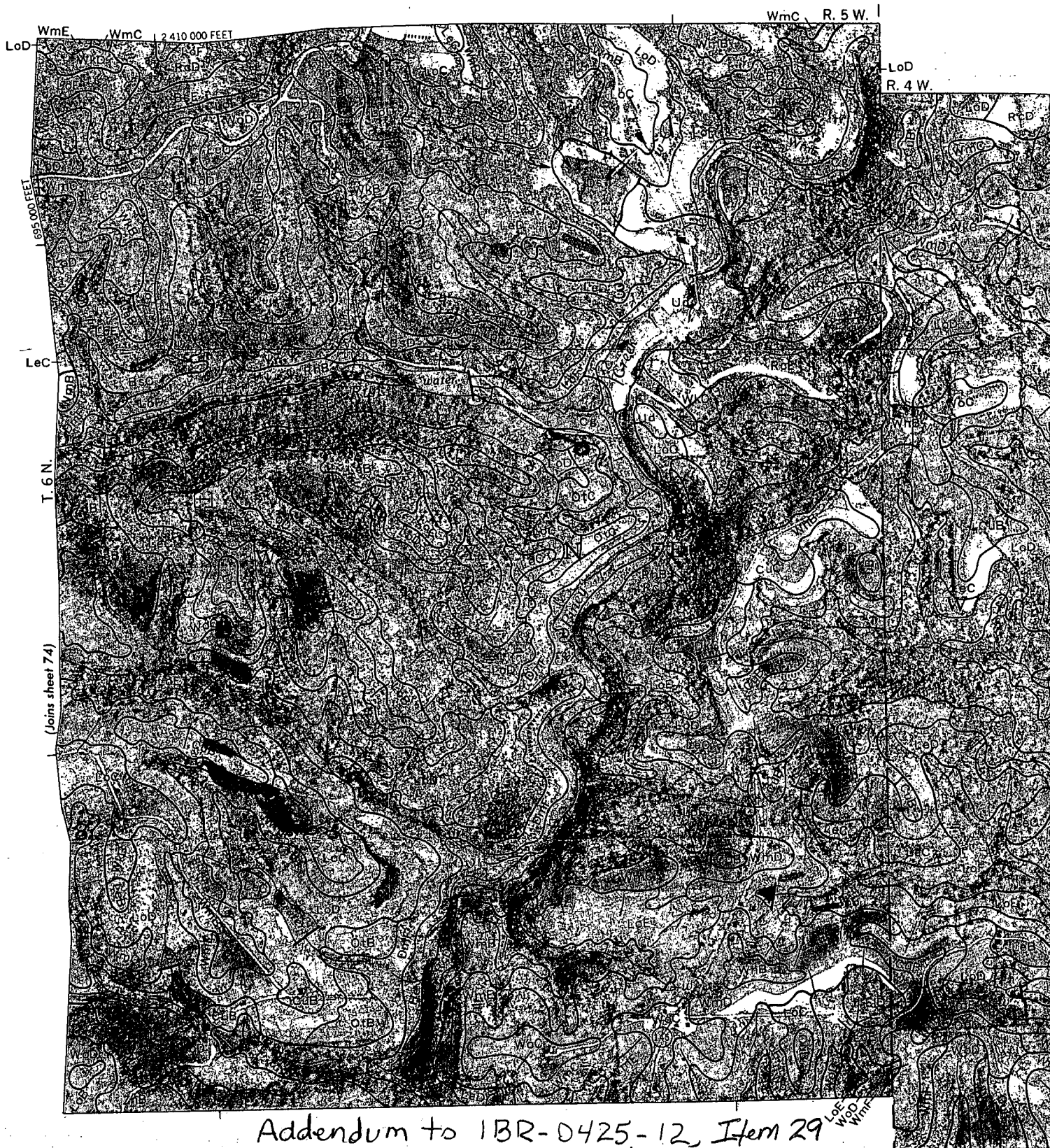
**Soil Map Symbol**

**Map Unit Name**

Signature: \_\_\_\_\_



Jeff Bettinger, Natural Resources Conservation Service  
1119 East Main St., Barnesville, OH 43713 (740) 425-1100 Ext. 112



Addendum to IBR-0425-12, Item 29  
 American Energy Corporation

Addendum to I.B.R., Item 44, American Energy Corporation, D-0425

Chief  
ODNR Division of Mineral  
Resources Management  
2045 Morse Road Bldg. H-2  
Columbus, Ohio 43229-6693

Re: Small Area Drainage Exemption D-0425

Chief:

American Energy Corporation is hereby requesting a Small Area Drainage Exemption containing 0.3 acre. The S.A.D.E. is located in Section 3, Township 6, Range 5, Wayne Township on the south side of Township Road 87 as shown on the enclosed I.B.R. Map. This S.A.D.E. is for an area that has been affected by accessing the equipment necessary to drill a rock dust hole into the underground mine. The only disturbance consists of travel on an existing roadway, parking, and drilling.. The S.A.D.E. area will be promptly seeded and mulched for sediment control. Straw/hay bales will be used and maintained to control runoff from the disturbed area until vegetation is established. All runoff will meet the required effluent limitations.

Sincerely,

*Cathy M. Buhlman*

33. Indicate which of the following are proposed to be constructed within this IBR application area, and provide the required engineering designs for each.

- ☐ Sedimentation pond(s) (submit Pond/Impoundment Plan)
- ☐ Water impoundments, including wetlands that impound water (submit Pond/Impoundment Plan)
- ☐ Sumps
- ☒ Other (specify) None

34. Are any roads to be constructed, used or maintained within this IBR application area?

Yes ☒ No ☐ If "yes," provide the required description and engineering designs.

The existing road will be utilized for ingress and egress as it exists with no planned modifications.

35. Are there any conveyor or rail systems to be constructed, used or maintained within this IBR application area?

Yes ☐ No ☒ If "yes," provide the required description and engineering designs.

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application and verify the information in this application as true and correct to the best of my information and belief.

Printed Name: Fred M. Blumling

Signature: Fred M. Blumling

Title: Environmental Engineer

Date Signed: \_\_\_\_\_

Sworn before me and subscribed in my presence this 29<sup>TH</sup> day of

January, 20 07.

Notary Public



JEAN M. SNYDER  
Notary Public, State of Ohio  
My Commission Expires March 28, 2007

Application for an Incidental Boundary Revision  
Revised 02/06  
DNR-744-9005

FOR DIVISION USE ONLY

This application is hereby ☐ issued, ☐ disapproved

☐ The acreage identified in Item 4 of this application is now part of permit \_\_\_\_\_.

☐ The acreage identified in Item 5 of this application has been deleted from permit \_\_\_\_\_.

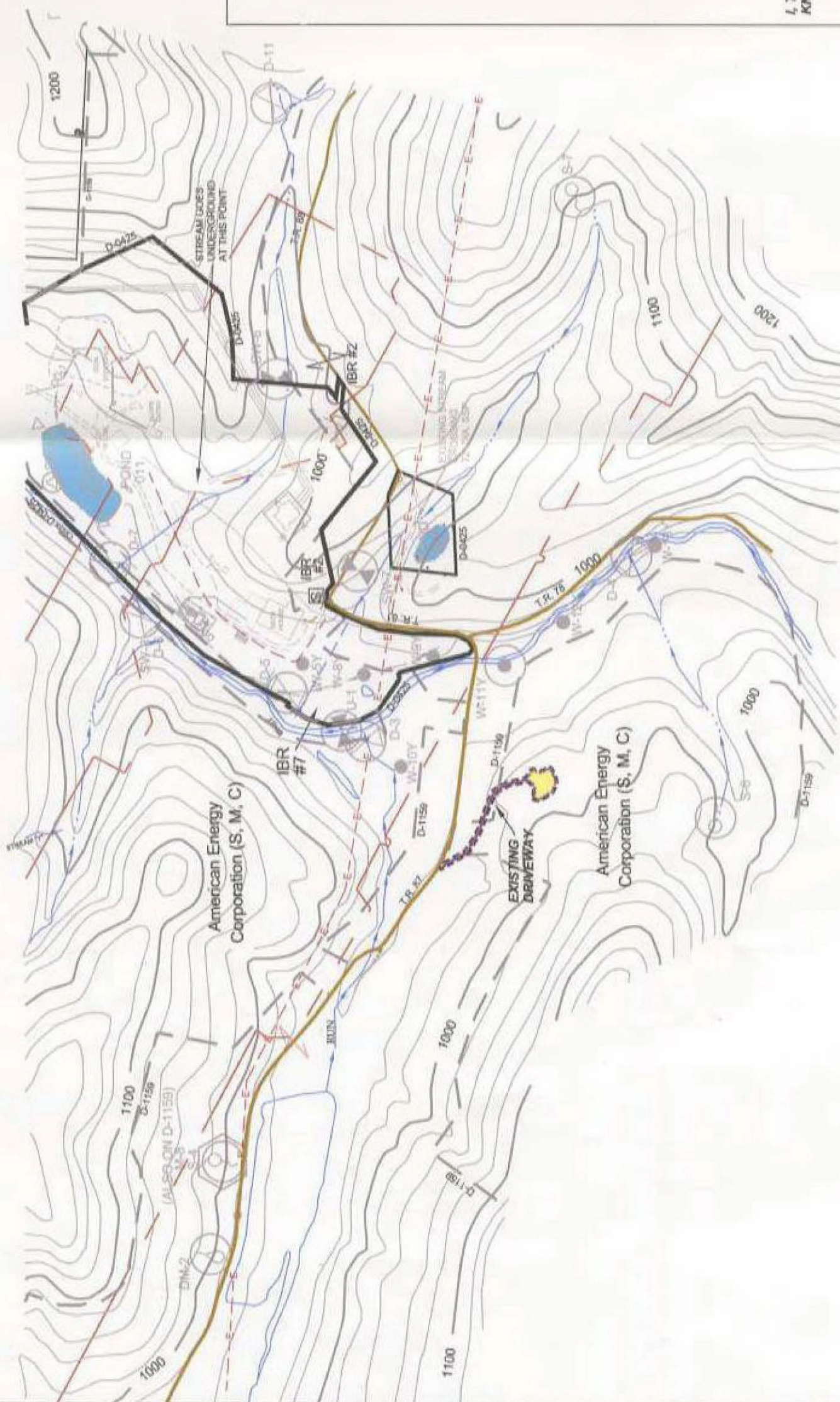
Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Chief, Division of Mineral Resources Mgmt.

\$ \_\_\_\_\_ of performance bond received on \_\_\_\_\_ and  
\$ \_\_\_\_\_ of acreage fee received on \_\_\_\_\_.



THE PRE-MINING LAND USE IS UNDEVELOPED.  
THE POST-MINING LAND USE WILL BE  
PASTURELAND.



## INCIDENTAL BOUNDARY REVISION MAP

PERMIT D-0425  
(Gunite Hole Site)

American Energy Corporation  
43521 Mayhugh Hill Road  
Beaumont, Ohio 43715

**AREA TO BE INCLUDED UNDER  
I.B.P. 0.3 ACRES.**

S.A.D.E.: 0.3 ACRE

SITUATED IN SECTION 3, T-6 R-5,  
WAYNE TOWNSHIP, BELMONT COUNTY, OHIO.

LOCATED ON THE HUNTER USGS  
7 1/2 MINUTE QUADRANGLE MAP.

SCALE: 1" = 400' CONTOUR INTERVAL: 20'

DATE PREPARED: Oct 10, 2005

DATE REVISED: Jan. 19, 2007

I, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS TRUE AND CORRECT.

REGISTERED SURVEYOR, P.S. # 6524

ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC  
THIS 29th DAY OF Jan. 2007.

Arthur U. Warner

**Arlene Warner**  
Notary Public, State of Ohio  
My Commission Expires July 23, 2007

COMM: #02001-12



OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

APPLICATION FOR INCIDENTAL BOUNDARY REVISION (IBR)  
(This form cannot be utilized for the removal of coal)

1. Applicant's Name: American Energy Corporation
2. Address: 43521 Mayhugh Hill Road  
City, State, Zip: Beallsville, Ohio 43716  
Telephone: 740-926-9152
3. Coal Mining Permit Number: D-0425 Mine Name Century Mine
4. Additional acres to be permitted: 0.3 MSHA # 33-01070
5. Acres to be deleted N/A
6. Has this acreage been affected under this permit?  
☐ Yes, ☒ No If "yes," list violation number(s).  
N/A
- Has this acreage previously been affected by other activities other than this permit?  
☐ Yes, ☒ No If "yes," describe: N/A
7. Describe the reason this additional acreage is required.  
To provide a hole into the deep mine for gunnite material to be delivered to the mine.
8. Describe the activities to be conducted on this area.  
A drill hole will be installed and gunnite material will be transported through the drill hole to the mine.

9. List all surface and mineral owners within the IBR area.

Surface and Mineral Owner Names	County	Township	Section	Lot	T-	R-
Name <b>American Energy Corp.</b> Address <b>43521 Mayhugh Hill Rd.</b> City <b>Beallsville</b> State <b>Ohio</b> Zip <b>43716</b> Surface <input checked="" type="checkbox"/> Mineral <input checked="" type="checkbox"/>	<b>Belmont</b>	<b>Wayne</b>	<b>3</b>	<b>N/A</b>	<b>6</b>	<b>5</b>
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						
Name Address City State Zip Surface <input type="checkbox"/> Mineral <input type="checkbox"/>						

10. Is any owner, holder or purchaser listed in item 9, a business entity other than a single proprietorship?

Yes ☒ No ☐ If "yes," submit Other Business Entities. **See updated "Other Business Entities" in recently submitted IBR-0425-11.**

11. Is any part of this IBR application area adjacent (within 100') to any lands, which are not owned by those persons identified in item 9?

Yes ☐ No ☒ If "yes," submit Adjacent Owners

12. Identify the right of entry documentation that is being provided that allows for coal mining operations on this IBR area:

☐ A copy of the right-of-entry documents attached as addenda, or

☒ A Right-of-Entry Affidavit

**See Right-of-Entry Affidavit**

13. Has the private mineral estate (coal) been severed from the private surface estate?

Yes ☐ No ☒ If "yes," indicate which documentation is provided:

☐ Surface Owners' Consent

☐ A copy of the document of conveyance that allows the proposed activities

☐ If the document of conveyance does not expressly allow the proposed activities, documentation that under state law the applicant has the legal authority to conduct the proposed activities.

14. Does the IBR application area include any area dedicated as a nature preserve pursuant to Chapter 1517 Ohio Revised Code?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

15. Does the IBR application area include any area within one thousand feet of the waterlines of any wild, scenic or recreational river dedicated pursuant to Chapter 1501 Ohio Revised Code?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

RIGHT-OF-ENTRY AFFIDAVIT

Applicant's Name **American Energy Corporation**

RIGHT-OF-ENTRY AFFIDAVIT

State of Ohio, **Belmont** County, ss. **Fred M. Blumling** being first duly sworn, says that the following described documents convey to the applicant the legal right explained below and is a subject of litigation as shown below.

Type of document **Deed**

Execution Date **September 30, 1997**

Expiration Date **N/A**

Parties: From **Wyoming Pochantas** to **American Energy Corporation**

Description of land: Number of Acres **152.624**

County **Belmont** Township **Wayne**

Section **2** Lot **1**

Explanation of legal rights claimed **All rights of ownership.**

Pending litigation Yes ☐ No ☒

<u><i>Fred M. Blumling</i></u>	<u>10/10/06</u>	<u><b>Environmental Engineer</b></u>
Signature of Affiant	Date	Position

Sworn to before me and subscribed in my presence this 10<sup>th</sup> day of, October, 2006

*Ellen M. Greer*  
Notary Public

ELLEN M. GREER, Notary Public  
State of Ohio  
My Commission Expires September 23, 2011

Part 1: Section C

16. Does the IBR application area include any area within the boundaries of the following systems: national park, national wildlife refuge, national trails, national wilderness preservation, national recreational areas or wild and scenic rivers or river corridors including those rivers under study?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

17. Does the IBR application area include any federally owned lands within the boundaries of any national forest?

Yes ☐ No ☒ If "yes," submit approval of U.S. Secretary of Interior or proof of valid existing rights.

18. Will operations conducted within this IBR adversely affect any publicly owned park or places included on the National Register of Historic Places?

Yes ☐ No ☒ If "yes," submit joint approval from the chief and the federal, state or local agency with jurisdiction over the park or places or proof of valid existing rights and describe the measures to be used to prevent or minimize these impacts.

19/15

19. Will operations conducted within this IBR affect land within one hundred feet of the outside right-of-way of a public road or result in mining through a public road?

Yes ☐ No ☒ If "yes," list the public road(s) in the space below and submit Public Road Consent or proof of valid existing rights.

19/15

20. Will operations conducted within this IBR affect land within three hundred feet of any occupied dwelling?

Yes ☐ No ☒ If "yes," list the name of the owner(s) in the space below and submit Occupied Dwelling Consent or proof of valid existing rights.

21. Will operations conducted within this IBR affect land within three hundred feet of any public building, school, church, community or institutional building or public park?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

ARCHEOLOGY - SURFACE

1. Applicant's Name **American Energy Corporation**  
Address **43521 Mayhugh Hill Road**  
City **Beallsville** State **Ohio** Zip **43716**
2. Contact Person **Jack A. Hamilton & Assoc., Inc.** Phone **740-968-4947**
3. Location and Acreage Information  
County **Belmont** Township **Wayne**  
Section **3** Lot(s) **T-6, R-5**  
USGS Quadrangle **Hunter** Acreage **0.3**
4. Application Map Attached: (area described in 3 above is to be outlined on the map)
5. Previous Disturbance:

☐ present; ☒ absent within application area only (Note: previous disturbance is any type of natural or human made disturbance to the topsoil and subsoil in the application area prior to submittal. Examples include, but are not limited to, slides, severe erosion, previous mining activities, clear cut logging, recreational activities, etc., but not agricultural plowing and discing.)

If previous disturbance is present, list below and clearly delineate the extent of each type of disturbance on the application map to be sent to the SHPO by the division. Attach addendum, if necessary.

Type of Disturbance	Date Occurred	Percent of Application	Map Symbol

## 6. Current Land Use: (describe land use and percent of land in that use)

Agricultural: 40%

Residential: 10%

Mining: 0%

Pasture: 20%

Secondary Forest Growth: 30%

Has area been clear cut logged? Yes ☐, No ☒  
 If "yes," indicate approximate date(s) of logging. 1980

Other: **Undeveloped: 100%**

## 7. Historic and Prehistoric Structures:

Definitions

A historic or prehistoric structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by humans, and 50 years or older, it is usually an engineering project.

Types

Historic structures include, but are not limited to dwellings, buildings, barns, farmstead outbuildings, bridges, culverts, churches, schools, halls, iron furnaces (and associated buildings), canals, forts, abandoned coal mine buildings, mine entrances, tipples and related structures, etc.

Prehistoric structures include, but are not limited to, earthworks, mounds, rockshelters, etc.

List all known historic and prehistoric structures below and locate each one on the application map to be sent to the SHPO including corresponding labeled black and white, front and rear photographs of each structure. Attach addendum, if necessary.

Structure Type	Construction Date	Map Reference	Photo # Front	Photo # Rear
None				



8. Previous Historic and/or Archeological Surveys: (describe any surveys known to applicant on the application area or adjacent areas)

Application area: **None**

Adjacent areas: **None**

9. **SHPO please send this form to:**  
Division of Mineral Resources Management  
Attn: Division Archeologist  
2045 Morse Road, Building H-3  
Columbus, Ohio 43229-6693

---

**FOR USE BY THE STATE HISTORIC PRESERVATION OFFICE ONLY**

(check appropriate space)

- A. ☒ This is a recommendation for an archeological survey of the application based on the following reasons (attach addendum, if necessary):

☐

A SHPO review of the area shown on the application map has provided a listing below of all known historic and prehistoric properties listed and eligible for listing on the "National Register of Historic Places" and known historic and prehistoric sites on the application area and adjacent areas (in a 1.5 mile radius). The listing includes, when appropriate, those historic and prehistoric structures identified by the applicant in items 7 and 8 above.

Listed and Eligible National Register Sites

Site Name (#)	Type	Application Area	Adjacent Area

Known Historic and Prehistoric Sites

Site Name (#)	Type	Application Area	Adjacent Area

- B. ☐ A SHPO review of the area shown on the application map and information contained in this form finds that the proposed mining does not have a reasonable probability of affecting any properties listed or eligible for listing on the "National Register of Historic Places." Therefore, no further coordination will be necessary with this office unless the scope of the application area changes.

State Historic Preservation Officer \_\_\_\_\_

SHPO # \_\_\_\_\_

Date \_\_\_\_\_

22. Will operations conducted within this IBR affect land within one hundred feet of a cemetery?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights or appropriate authorization to relocate the cemetery.

23. Is this IBR application area within an area designated unsuitable for coal mining operations or under study for designation in an administrative proceeding?

Yes ☐ No ☒

If "yes," did the applicant make substantial legal and financial commitments in this IBR application area prior to January 4, 1977? Yes ☐ No ☐ If "yes," provide documentation supporting the assertion that the commitments were made prior to January 4, 1977.

24. In order to address the nature of cultural, historic and archeological resources, submit Archeology - Surface.

25. Describe the uses of the land existing at the time of the filing of this IBR application area and provide a map delineating the area and acreage of each land use.

**The proposed I.B.R. area was composed entirely of undeveloped land. See I.B.R. Map.**

26. Describe the use of the land, including the creation of permanent impoundments, that is proposed to be made of the land following reclamation, including information regarding the utility and capacity of the reclaimed land to support a variety of alternative uses. Provide a map that delineates the area and acreage of each proposed land use, and submit assurance of maintenance for each permanent impoundment.

**The use of the land following reclamation will be pastureland. See I.B.R. Map.**

**The post-mining land use for this area will be aesthetically appropriate and corresponds with adjacent land uses. Grasses and legumes will be used as a cover crop. Following reclamation, the capability and productivity of the land will be greater than that at the present time. The reclaimed land could sustain other agricultural or recreational uses.**

27. Submit Surface Owner Comments from the legal or equitable owner(s) of record of the IBR application area concerning the proposed land use.

**See Surface Owner Comments - American Energy Corporation**

28. Is the post-mining land use to be different from the pre-mining land use?

Yes ☒ No ☐ If "yes," submit Land Use Change Notification.

29. Submit Negative PFL Determination for areas within this IBR application area that are not prime farmland.

Having considered the negative determinations, does this IBR application area include any land that is prime farmland? Yes ☐ No ☒

If "yes," submit PFL Restoration Plan or describe how this area will be avoided.

**See original permit D-1159 for negative PFL determination conducted in February, 1994. This area contains DmF and OtC soils, which are not considered prime farm-land soils.**

30. Are any of the variances listed below being requested?

Yes ☒ No ☐ If "yes," identify the variances and submit the applicable request(s) as an addendum.

☐ Stream buffer zone ☒ Small area drainage exemption

31. Will the proposed IBR area result in diversions of overland flow away from the disturbed area?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

32. Will the proposed IBR area result in construction of diversions to direct runoff through a sediment pond or a series of sediment ponds?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

33. Indicate which of the following are proposed to be constructed within this IBR application area, and provide the required engineering designs for each.

Application for an Incidental Boundary Revision

Revised 02/06

DNR-744-9005

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT

SURFACE OWNER COMMENTS

TO: American Energy Corporation

FROM: American Energy Corporation

Location of Proposed Permit Area:

County/Twp: <b>Belmont / Wayne</b>	Lot/Section: <b>3</b>
------------------------------------	-----------------------

The proposed postmining land use(s) for your property is/are checked below:

<input type="checkbox"/>	Cropland	<input type="checkbox"/>	Residential Land Use
<input checked="" type="checkbox"/>	Pasture Land	<input type="checkbox"/>	Forest
<input type="checkbox"/>	Grazing Land	<input type="checkbox"/>	Undeveloped Land Use
<input type="checkbox"/>	Industrial Land Use	<input type="checkbox"/>	Fish & Wildlife
<input type="checkbox"/>	Commercial Land Use	<input type="checkbox"/>	Recreation Land Use
<input type="checkbox"/>	Developed Water Resources		

Pursuant to 1501:13-4-05(G)(2) of the Ohio Administrative Code, surface owner comments concerning the proposed postmining land use(s) for the proposed permit area are required. Please check the appropriate box below.

<input checked="" type="checkbox"/>	<i>I concur with the proposed postmining land uses identified by the mine operator.</i>
<input type="checkbox"/>	<i>I DO NOT concur with the proposed postmining land uses.</i>

COMMENTS:

  
SIGNATURE OF SURFACE OWNER

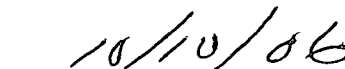
  
DATE

Please check each (if any) of the following listed wildlife enhancements that you would be interested in having on your property. **PLEASE NOTE:** Checking a box does not require the operator to provide any or all of selected enhancements. This form is a tool to help landowners better understand options that may be available through the coal company.

<input type="checkbox"/>	Tree/Shrub Plantings	<input type="checkbox"/>	Small Depressions
<input type="checkbox"/>	Ponds/Wetlands	<input type="checkbox"/>	Perching/Nesting Structures
<input type="checkbox"/>	Brushpiles	<input type="checkbox"/>	Other: <input type="checkbox"/>
<input type="checkbox"/>	Rockpiles	<input type="checkbox"/>	Other: <input type="checkbox"/>

**WAIVER STATEMENT (Optional for Surface Owner):** I, the above named surface owner, waive my right to comment on any revision to the permit application during the application review process that results in a change in the postmining land use(s) from those shown above. (NOTE: I DO NOT WAIVE MY RIGHT TO COMMENT ON ANY PROPOSED POSTMING LAND USE CHANGE AFTER PERMIT ISSUANCE.)

  
SIGNATURE OF SURFACE OWNER

  
DATE

Part 2: Section F

Ohio Department of Natural Resources  
Division of Mineral Resources Management

LAND USE CHANGE NOTIFICATION

TO: U.S. Fish and Wildlife  
Division of Ecological Services  
6950-H Americana Parkway  
Reynoldsburg, Ohio 43068

Division of Wildlife  
2045 Morse Road  
Building G-2  
Columbus, Ohio 43229-6693

**Note:** This form is to be completed only if a land use change is to occur.

1. Is a copy of the coal mine permit application currently on file with the Division of Mineral Resources Management? ☒ Yes, ☐ No.

2. Coal mine permit application no. or mine name **IBR-0425-12, Century Mine**

3. Application to revise permit no. **12222**

4. Applicant **American Energy Corporation**

Address **43521 Maynugh Hill Road**

City **Beallsville** State **Ohio** Zip **43716**

Phone no. **740-926-9152**

6. Application Location

County **Belmont** Township **Wayne**

Section **3** Lot **1** Acres **0.3**

Township **6** Range **5** Quadrangle **Hunter**

**Note:** only list land uses below that will change from the premining use

7. Pre-mining Land Use type and acreage:

**Undeveloped - 0.3 Acres**

8. Post-mining Land Use type and acreage:

**Pastureland - 0.3 Acres**

9. Revegetation Plan (SPECIES AND AMOUNTS)

10. Stream Variance Request ☐ Yes, ☒ No If "yes," indicate the percentage of tree cover within the 100' buffer zones. **0.25**

**Notifications to U.S. Fish and Wildlife and Division of Wildlife must include a location map, and a map of the mine site showing where land use changes will occur. If "yes" to item 10 above, enclose a copy of Stream Buffer Zone Variance Request with each notification.**

**Part 2: Section F**

**OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT**

**NEGATIVE PFL DETERMINATION**

Applicant's Name **American Energy Corporation**

Check (X) the appropriate item numbers and attach the documents used to make the demonstration.

- ☐ 1. Lands within the application area have not been historically used for cropland.
- ☐ 2. The slope of the land within the application area is greater than eight percent.
- ☐ 3. The total prime farmland soil unit (inside **and** outside of the application area) is less than three acres.
- ☒ 4. On the basis of a second order soil survey meeting the standards of the National Cooperative Soil Survey, there are no soil map units within the application area that have been designated prime farmland by the U.S. Natural Resource Conservation Service.
- ☐ 5. On the basis of a first order soil survey commissioned by the applicant and meeting the standard of the National Cooperative Soil Survey, there were found to be no prime farmland map units as designated by the NRCS within the application area (see PFL Restoration Plan, item 2 for 1st order survey criteria).

**Part 2: Section G**

Addendum to I.B.R., Item 44, American Energy Corporation, D-0425

Chief  
ODNR Division of Mineral  
Resources Management  
2045 Morse Road Bldg. H-2  
Columbus, Ohio 43229-6693

Re: Small Area Drainage Exemption D-0425

Chief:

American Energy Corporation is hereby requesting a Small Area Drainage Exemption containing 0.3 acre. The S.A.D.E. is located in Section 3, Township 6, Range 5, Wayne Township on the south side of Township Road 87 as shown on the enclosed I.B.R. Map. This S.A.D.E. is for an area that has been affected by accessing the equipment necessary to drill a rock dust hole into the underground mine. The only disturbance consists of travel on an existing roadway, parking, and drilling. The S.A.D.E. area will be promptly seeded and mulched for sediment control. All runoff will meet the required effluent limitations.

Sincerely,

*Cathy M. Buhlman*



- ☐ Sedimentation pond(s) (submit Pond/Impoundment Plan)
- ☐ Water impoundments, including wetlands that impound water (submit Pond/Impoundment Plan)
- ☐ Sumps
- ☐ Other (specify) \_\_\_\_\_

34. Are any roads to be constructed, used or maintained within this IBR application area?

Yes ☐ No ☒ If "yes," provide the required description and engineering designs.

35. Are there any conveyor or rail systems to be constructed, used or maintained within this IBR application area?

Yes ☐ No ☒ If "yes," provide the required description and engineering designs.

I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application and verify the information in this application as true and correct to the best of my information and belief.

Printed Name: **Fred M. Blumling**

Signature: *Fred M. Blumling*

Title: **Environmental Engineer**

Date Signed: 10/10/06

Sworn before me and subscribed in my presence this 10<sup>th</sup> day of October, 20 06.

*Ellen M. Green*  
Notary Public

ELLEN M. GREEN, Notary Public  
State of Ohio  
My Commission Expires September 23, 2011

FOR DIVISION USE ONLY

This application is hereby ☐ issued, ☐ disapproved

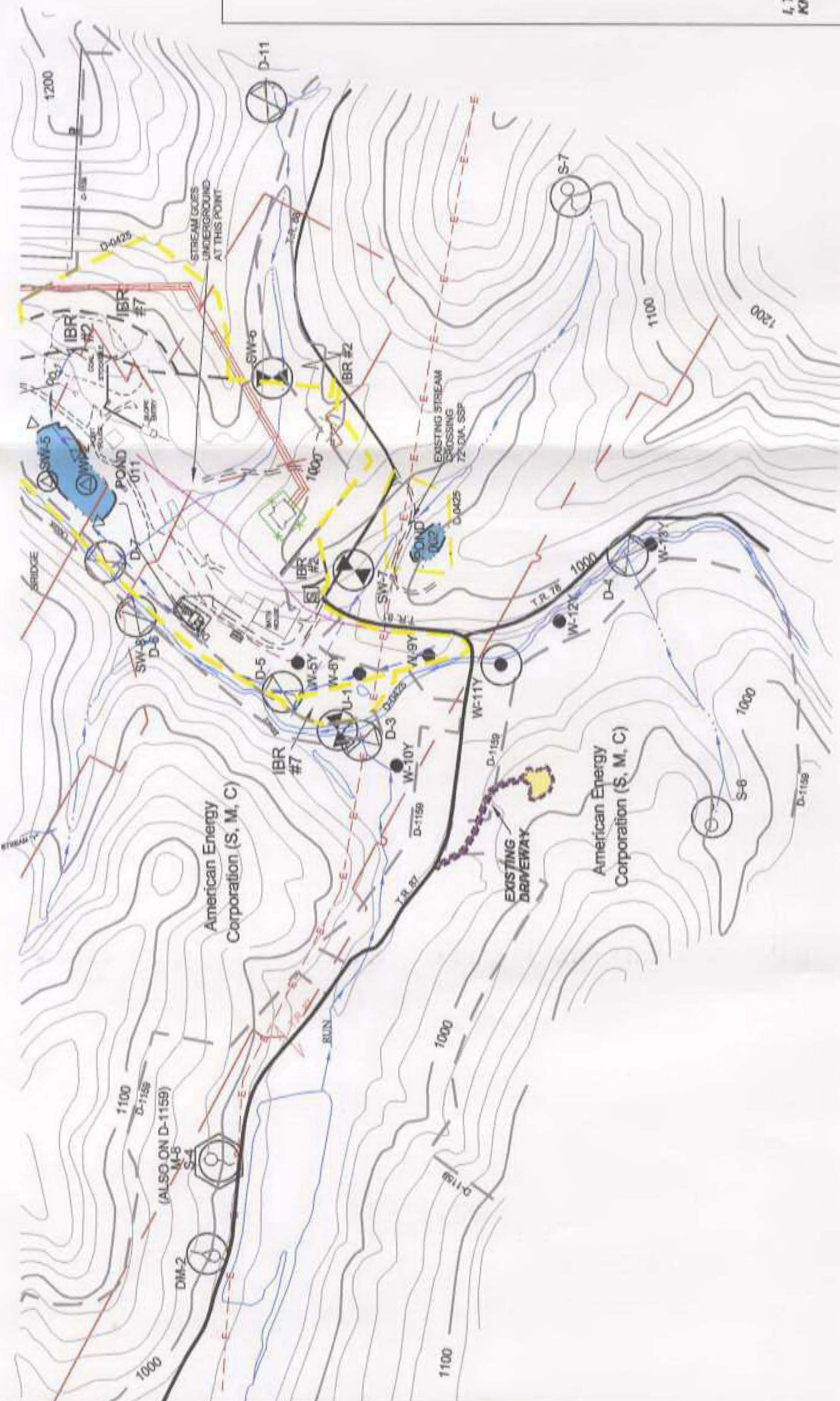
☐ The acreage identified in Item 4 of this application is now part of permit \_\_\_\_\_.

☐ The acreage identified in Item 5 of this application has been deleted from permit \_\_\_\_\_.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
Chief, Division of Mineral Resources Mgmt.


\$ \_\_\_\_\_ of performance bond received on \_\_\_\_\_ and  
\$ \_\_\_\_\_ of acreage fee received on \_\_\_\_\_.



NOTE:  
THE PRE-MINING LAND USE IS UNDEVELOPED.  
THE POST-MINING LAND USE WILL BE  
PASTURELAND.

**INCIDENTAL BOUNDARY REVISION MAP**  
**PERMIT D-0425**  
(Gunite Hole Site)

American Energy Corporation  
43521 Mayhugh Hill Road  
Beaumont, Ohio 43716

 **AREA TO BE INCLUDED UNDER**  
I.B.R. 0.3 ACRES.  
S.A.D.E. : 0.3 ACRE

SITUATED IN SECTION 3, T-6 R-5,  
WAYNE TOWNSHIP, BELMONT COUNTY, OHIO.

LOCATED ON THE HUNTER USGS  
7 1/2 MINUTE QUADRANGLE MAP.

SCALE: 1" = 400' CONTOUR INTERVAL: 20'

DATE PREPARED: Oct 10, 2006

DATE REVISED:

I, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF THIS MAP IS TRUE AND CORRECT.

  
REGISTERED SURVEYOR, P.S. #6524

ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC  
THIS 10<sup>TH</sup> DAY OF October, 2006.



JEAN M. SNYDER  
Notary Public, State of Ohio  
My Commission Expires March 28, 2007

COMM: #02001-12



State of Ohio  
Department of Natural Resources  
Division of Mineral Resources Management

**RECEIPT FOR CASH OR BOND REVENUE**

**AMERICAN ENERGY CORP**  
43521 Mayhugh Hill Rd.  
Twp Hwy 88  
Beallsville, OH 43716

Receipt No: **13226**  
Print Date: 14 Jun 2007  
OA App#: 277

Permit Type: Coal      Law: D No: 425

DMR Acct:	Type:	Check/Bond No:	Institution:	Amount:	Purpose:
S		ISM-2346	ROCKWOOD CASUALTY INS CO	\$500.00	Bond
					IBR 13

Memo: Application: IBR-13

-This receipt is to signify that revenue was received by the Ohio Division of Mineral Resources Management

-Please keep this receipt for your records

Thank you for your payment.

Distribution: ☐ Permittee ☐ Bond Agent ☐ File Columbus Office ☐ CAMBRIDGE

Received By:

*Tom Frazier*

AEC 07711



## Coal Mining and Reclamation Permit Incidental Boundary Revision (IBR)

**Issued To:** AMERICAN ENERGY CORP  
43521 Mayhugh Hill Rd.  
Twp Hwy 88  
Beallsville, OH 43716

**Telephone:** (740) 926-9152

**Permit Number:** D-425  
**Application Number:** IBR-425-13  
**Acreage:** 0.20  
**Effective:** 09/27/2007  
**Expires:** 10/21/2009

**Type of Operation:** Underground (Longwall)

**Reason:** Access Road

### LOCATION OF PERMIT AREA

NAME OF LANDOWNERS	T	R	SECTION	LOTS	TOWNSHIP	COUNTY
B & L Baker	5	5	5		SUNSBURY	MONROE

The issuance of this IBR means only that the application to conduct a coal mining operation meets the requirements of Chapter 1513 of the Revised Code, and as such DOES NOT RELIEVE the operator of any obligation to meet other federal, state or local requirements.

This IBR is issued in accordance with and subject to the provisions, conditions, and limitations of Chapter 1513 of the Revised Code and Chapters 1501:13-1, 1501:13-3 through 1501:13-14 of the Administrative Code.

The approved water monitoring plan for this IBR is:

**Quality:** N/A

**Quantity:** N/A

**Note:** Any previous condition(s) imposed on this permit, or subsequent adjacent areas, also apply to this IBR unless noted otherwise.

**Signature:** Scott Kell *SK* **Date:** 09/27/2007  
Chief, Mineral Resources Management

OPERATOR

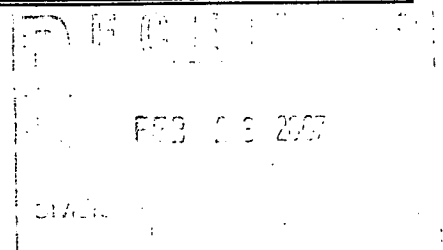
OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENTAPPLICATION FOR INCIDENTAL BOUNDARY REVISION (IBR)  
(This form cannot be utilized for the removal of coal)

JAN 31 2007

1. Applicant's Name: American Energy Corporation
2. Address: 43521 Mayhugh Hill Road  
City, State, Zip: Beallsville, Ohio 43716  
Telephone: 740-926-9152
3. Coal Mining Permit Number: D-0425 Mine Name Century Mine
4. Additional acres to be permitted: 0.2 MSHA # 33-01070
5. Acres to be deleted N/A
6. Has this acreage been affected under this permit?  
☒ Yes, ☐ No If "yes," list violation number(s).  
No violation
- Has this acreage previously been affected by other activities other than this permit?  
☐ Yes, ☒ No If "yes," describe:
7. Describe the reason this additional acreage is required.  
To provide access to IBR-0425-10 south of S.R. 556.
8. Describe the activities to be conducted on this area.  
The access will be used for ingress and egress to shaft site in IBR-0425-10.

9. List all surface and mineral owners within the IBR area.

Surface and Mineral Owner Names	County	Township	Section	Lot	T-	R-
<b>Name</b> B & L Baker <b>Address</b> 49971 Run Road <b>City</b> Beallsville <b>State</b> Ohio <b>Zip</b> 43716 <b>Surface</b> <input checked="" type="checkbox"/> <b>Mineral</b> <input checked="" type="checkbox"/>	Monroe	Sunsbury	5	N/A	5	5
<b>Name</b> <b>Address</b> <b>City</b> <b>State</b> Zip <b>Surface</b> <input type="checkbox"/> <b>Mineral</b> <input type="checkbox"/>						
<b>Name</b> <b>Address</b> <b>City</b> <b>State</b> Zip <b>Surface</b> <input type="checkbox"/> <b>Mineral</b> <input type="checkbox"/>						
<b>Name</b> <b>Address</b> <b>City</b> <b>State</b> Zip <b>Surface</b> <input type="checkbox"/> <b>Mineral</b> <input type="checkbox"/>						
<b>Name</b> <b>Address</b> <b>City</b> <b>State</b> Zip <b>Surface</b> <input type="checkbox"/> <b>Mineral</b> <input type="checkbox"/>						
<b>Name</b> <b>Address</b> <b>City</b> <b>State</b> Zip <b>Surface</b> <input type="checkbox"/> <b>Mineral</b> <input type="checkbox"/>						



10. Is any owner, holder or purchaser listed in item 9, a business entity other than a single proprietorship?
- Yes ☒ No ☐ If "yes," submit Other Business Entities. **See updated "Other Business Entities" in recently approved IBR-0425-11.**
11. Is any part of this IBR application area adjacent (within 100') to any lands, which are not owned by those persons identified in item 9?
- Yes ☒ No ☐ If "yes," submit Adjacent Owners **R. & C. Burrow, T. Ledney and T. Workman, see Adjacent Owners in IBR-0425-10.**
12. Identify the right of entry documentation that is being provided that allows for coal mining operations on this IBR area:
- ☒ A copy of the right-of-entry documents attached as addenda, or
- ☐ A Right-of-Entry Affidavit
- See approved IBR-0425-10 for right of entry documentation.**
13. Has the private mineral estate (coal) been severed from the private surface estate?
- Yes ☒ No ☐ If "yes," indicate which documentation is provided:
- See approved IBR-0425-10 for documentation.**
- ☐ Surface Owners' Consent
- ☒ A copy of the document of conveyance that allows the proposed activities
- ☐ If the document of conveyance does not expressly allow the proposed activities, documentation that under state law the applicant has the legal authority to conduct the proposed activities.
14. Does the IBR application area include any area dedicated as a nature preserve pursuant to Chapter 1517 Ohio Revised Code?
- Yes ☐ No ☒ If "yes," submit proof of valid existing rights.
15. Does the IBR application area include any area within one thousand feet of the waterlines of any wild, scenic or recreational river dedicated pursuant to Chapter 1501 Ohio Revised Code?



Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

16. Does the IBR application area include any area within the boundaries of the following systems: national park, national wildlife refuge, national trails, national wilderness preservation, national recreational areas or wild and scenic rivers or river corridors including those rivers under study?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

17. Does the IBR application area include any federally owned lands within the boundaries of any national forest?

Yes ☐ No ☒ If "yes," submit approval of U.S. Secretary of Interior or proof of valid existing rights.

18. Will operations conducted within this IBR adversely affect any publicly owned park or places included on the National Register of Historic Places?

Yes ☐ No ☒ If "yes," submit joint approval from the chief and the federal, state or local agency with jurisdiction over the park or places or proof of valid existing rights and describe the measures to be used to prevent or minimize these impacts.

19. Will operations conducted within this IBR affect land within one hundred feet of the outside right-of-way of a public road or result in mining through a public road?

Yes ☐ No ☒ If "yes," list the public road(s) in the space below and submit Public Road Consent or proof of valid existing rights.

20. Will operations conducted within this IBR affect land within three hundred feet of any occupied dwelling?

Yes ☒ No ☐ If "yes," list the name of the owner(s) in the space below and submit Occupied Dwelling Consent or proof of valid existing rights.

**B. & L. Baker and R. & C. Burrow, See approved IBR-0425-10**

21. Will operations conducted within this IBR affect land within three hundred feet of any public building, school, church, community or institutional building or public park?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights.

22. Will operations conducted within this IBR affect land within one hundred feet of a cemetery?

Yes ☐ No ☒ If "yes," submit proof of valid existing rights or appropriate authorization to relocate the cemetery.

23. Is this IBR application area within an area designated unsuitable for coal mining operations or under study for designation in an administrative proceeding?

Yes ☐ No ☒

If "yes," did the applicant make substantial legal and financial commitments in this IBR application area prior to January 4, 1977? Yes ☐ No ☒ If "yes," provide documentation supporting the assertion that the commitments were made prior to January 4, 1977.

24. In order to address the nature of cultural, historic and archeological resources, submit Archeology - Surface.
25. Describe the uses of the land existing at the time of the filing of this IBR application area and provide a map delineating the area and acreage of each land use.

The proposed I.B.R. area was composed entirely of pastureland.

26. Describe the use of the land, including the creation of permanent impoundments, that is proposed to be made of the land following reclamation, including information regarding the utility and capacity of the reclaimed land to support a variety of alternative uses. Provide a map that delineates the area and acreage of each proposed land use, and submit assurance of maintenance for each permanent impoundment.

The use of the land following reclamation will be pastureland. The post-mining land use for this area will be aesthetically appropriate and corresponds with adjacent land uses. Grasses and legumes will be used as a cover crop. Following reclamation, the capability and productivity of the land will be greater

TO: B. & L. Baker

FROM: American Energy Corporation

Location of Proposed Permit Area:

County/Twp. Monroe / Sunbury	Lot/Sections 5 & 6
------------------------------	--------------------

The proposed postmining land use (s) for your property is/are checked below:

<input type="checkbox"/> Cropland	<input type="checkbox"/> Residential Land Use
<input checked="" type="checkbox"/> Pasture Land	<input type="checkbox"/> Forest
<input type="checkbox"/> Grazing Land	<input type="checkbox"/> Undeveloped Land Use
<input type="checkbox"/> Industrial Land Use	<input type="checkbox"/> Fish & Wildlife
<input type="checkbox"/> Commercial Land Use	<input type="checkbox"/> Recreation land Use
<input type="checkbox"/> Developed Water Resources	<input type="checkbox"/> Public Road

Pursuant to Ohio Department of Natural Resources, Division of Mines and Reclamation, Ohio Coal Mining and Reclamation Rule 1501:13-4-05(G)(2) of the Ohio Administrative Code, surface owner comments concerning the proposed postmining land use(s) for the proposed permit area are required. Please check the appropriate box below.

<input checked="" type="checkbox"/>	I concur with the proposed postmining land uses identified by the mine operator.
<input type="checkbox"/>	I DO NOT concur with the proposed postmining land uses.

COMMENTS:

<u>Bobby Baker</u>	<u>4-5-05</u>
SIGNATURE OF SURFACE OWNER	DATE
<u>Linda Baker</u>	<u>4-5-05</u>
SIGNATURE OF SURFACE OWNER	DATE

Please check each (if any) of the following listed wildlife enhancements that you would be interested in having on your property. **PLEASE NOTE:** Checking a box does not require the operator to provide any or all of selected enhancements. This form is a tool to help landowners better understand options that may be available through the coal company.

<input type="checkbox"/> Tree/Shrub Planting	<input type="checkbox"/> Small Depressions
<input type="checkbox"/> Ponds/Wetlands	<input type="checkbox"/> Perching/Nesting Structures
<input type="checkbox"/> Brushpiles	<input type="checkbox"/> Other:
<input type="checkbox"/> Rockpiles	<input type="checkbox"/> Other:

**WAIVER STATEMENT (Optional for Surface Owner):** I, the above named surface owner, waive my right to comment on any revision to the permit application during the application review process that results in a change in the postmining land use(s) from those shown above. (NOTE: I DO NOT WAIVE MY RIGHT TO COMMENT ON ANY PROPOSED POSTMINING LAND USE CHANGE AFTER PERMIT ISSUANCE.)

_____ SIGNATURE OF SURFACE OWNER	_____ DATE
_____ SIGNATURE OF SURFACE OWNER	_____ DATE

than that at the present time. The reclaimed land could sustain other agricultural or recreational uses.

27. Submit Surface Owner Comments from the legal or equitable owner(s) of record of the IBR application area concerning the proposed land use.

See attached Surface Owner Comments

28. Is the post-mining land use to be different from the pre-mining land use?

Yes ☐ No ☒ If "yes," submit Land Use Change Notification.

29. Submit Negative PFL Determination for areas within this IBR application area that are not prime farmland.

Having considered the negative determinations, does this IBR application area include any land that is prime farmland? Yes ☐ No ☒

If "yes," submit PFL Restoration Plan or describe how this area will be avoided.

See attached original I.B.R.-0425-10 for negative PFL determination which included this area.

30. Are any of the variances listed below being requested?

Yes ☐ No ☒ If "yes," identify the variances and submit the applicable request(s) as an addendum.

☐ Stream buffer zone ☐ Small area drainage exemption

31. Will the proposed IBR area result in diversions of overland flow away from the disturbed area?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

32. Will the proposed IBR area result in construction of diversions to direct runoff through a sediment pond or a series of sediment ponds?

Yes ☐ No ☒ If "yes," provide the required engineering designs.

**OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT  
NEGATIVE PFL DETERMINATION**

Applicant's Name **American Energy Corporation**

Check (X) the appropriate item numbers and attach the documents used to make the demonstration.

- ☐ 1. Lands within the application area have not been historically used for cropland.
- ☐ 2. The slope of the land within the application area is greater than eight percent.
- ☐ 3. The total prime farmland soil unit (inside **and** outside of the application area) is less than three acres.
- ☒ 4. On the basis of a second order soil survey meeting the standards of the National Cooperative Soil Survey, there are no soil map units within the application area that have been designated prime farmland by the U.S. Natural Resource Conservation Service.
- ☐ 5. On the basis of a first order soil survey commissioned by the applicant and meeting the standard of the National Cooperative Soil Survey, there were found to be no prime farmland map units as designated by the NRCS within the application area (see PFL Restoration Plan, item 2 for 1st order survey criteria).

**The prime farmland acreage does not fall within the limits of the I.B.R. area.**

**Part 2: Section G**

**Certification of Prime/Nonprime Farmland**

Name of Mine Operator *American Energy Corporation*

Location of Permit Application Area *sect 5 & 6, Sunbury Twp, MONROE CO.*

Size of Permit Area (Acres) *30 + acres*

**Check Appropriate Block:**

1. ☐ I have determined that this permit application DOES NOT contain prime farmland in accordance with the edition of the current county Prime Farmland Map Unit List found in the county Field Office Technical Guide.
2. ☒ I have found that this permit application CONTAINS prime farmland in accordance with the edition of the Prime Farmland Map Units for Ohio and for the current county Prime Farmland Map Unit List, whichever is more current.

A soil map has been attached and prime unit(s) are as follows:

**Soil Map Symbol**

**Map Unit Name**

*He*

*Hartsorn Silt Loam*

*WhB<sub>2</sub>*

*Wellston Silt Loam, 2-6% slopes, moderately eroded*

*ZoB*

*Zanesville - Woodsfield Silt Loam, 2-6% slopes*

*ZoB<sub>2</sub>*

*Zanesville - Woodsfield Silt Loam, 2-6% slopes moderately eroded*

Signature: \_\_\_\_\_

**Jeff Bettinger, Natural Resources Conservation Service**  
1119 East Main St., Barnesville, OH 43713 (740) 425-1100 Ext. 112

# Soils Map

Field Office: BARNESVILLE SERVICE CENTE  
Agency: USDA-NRCS  
Assisted By: Jeffery Bettinger



Image: Orthophotography

200 0 200 400 600 800  
feet



AEC 07722

33. Indicate which of the following are proposed to be constructed within this IBR application area, and provide the required engineering designs for each.

- ☒ Sedimentation pond(s) (submit Pond/Impoundment Plan)
- ☐ Water impoundments, including wetlands that impound water (submit Pond/Impoundment Plan)
- ☐ Sumps
- ☒ Other (specify) **None**

34. Are any roads to be constructed, used or maintained within this IBR application area?

Yes ☒ No ☐ If "yes," provide the required description and engineering designs.

The access road will be used and maintained for the life of the permit. After mining the access road will be removed during reclamation of the shaft site. See attached addenda.

35. Are there any conveyor or rail systems to be constructed, used or maintained within this IBR application area?

Yes ☐ No ☒ If "yes," provide the required description and engineering designs.

☐



I, the undersigned authorized representative of the permittee, hereby attest that no coal has been or will be removed from the acreage identified in this application and verify the information in this application as true and correct to the best of my information and belief.

Printed Name: **Fred M. Blumling**

Signature: Fred M. Blumling

Title: **Environmental Engineer**

Date Signed: 2-22-07

Sworn before me and subscribed in my presence this 22nd day of February, 20 07.

Ellen M. Green  
Notary Public

ELLEN M. GREEN, Notary Public  
State of Ohio

**FOR DIVISION USE ONLY**

My Commission Expires September 23, 2011

This application is hereby ☒ issued, ☐ disapproved

☒ The acreage identified in Item 4 of this application is now part of permit 0.2.

☐ The acreage identified in Item 5 of this application has been deleted from permit \_\_\_\_\_.

Date: 9-27-07

Signed: Scott Kell  
Chief, Division of Mineral Resources Mgmt.

\$ 500<sup>00</sup> of performance bond received on 6-19-07 and  
\$ \_\_\_\_\_ of acreage fee received on \_\_\_\_\_.





NOTE:  
THE PRE & POST MINING LAND USE ON  
THE I.B.R. AREA IS PASTURELAND.

**INCIDENTAL BOUNDARY REVISION MAP**  
PERMIT D-0425  
(ROAD FOR ACCESS TO SHAFT SITE)

American Energy Corporation  
43521 Mayhugh Hill Road  
Bealsville, Ohio 43716

AREA TO BE INCLUDED UNDER  
I.B.R. 0.2 ACRES.



SCALE: 1" = 400'



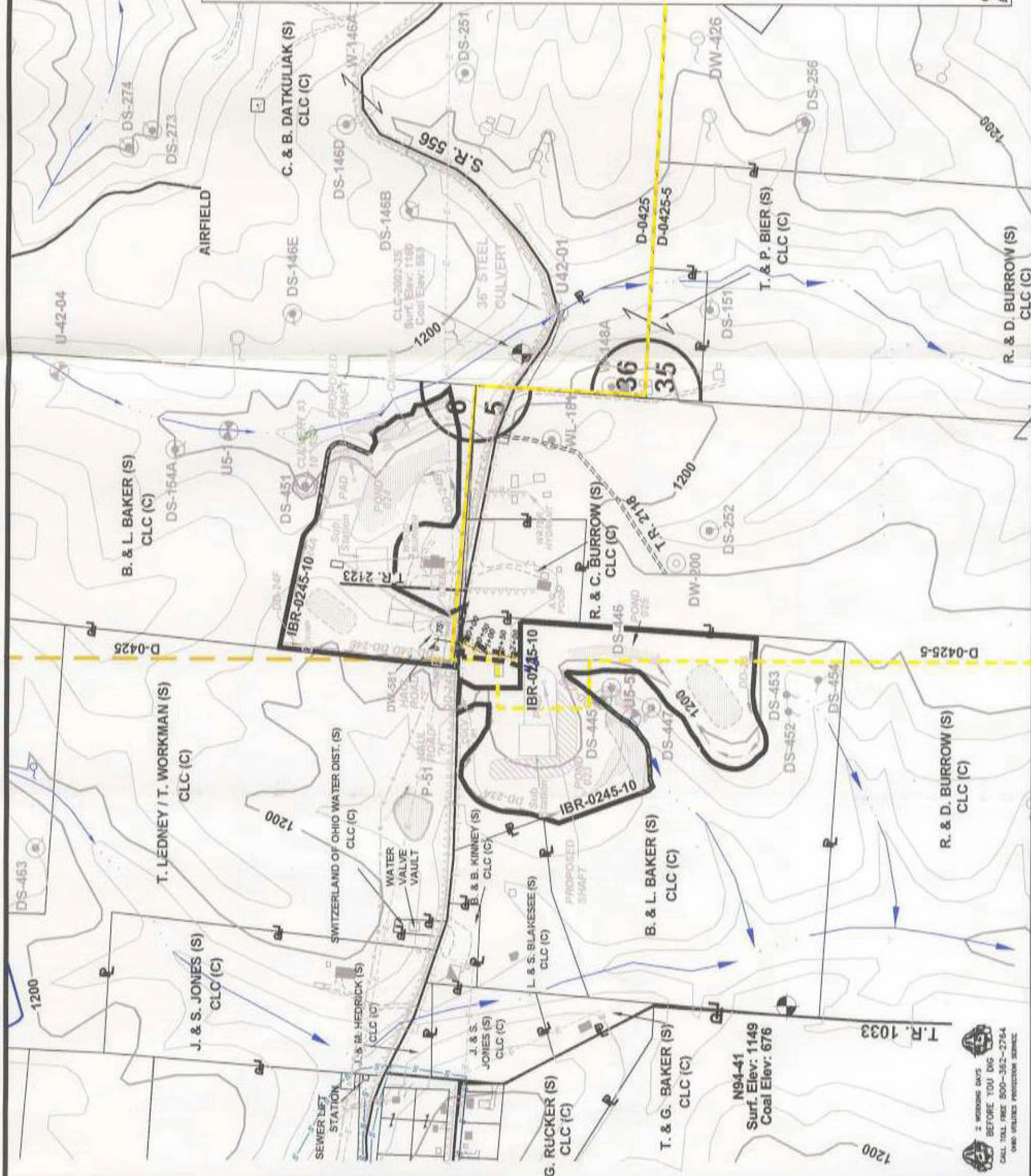
Michael S. Kearns P.E., M.S.

Date

2-12-07

COMM: #02001-12

DRAWING: SSU - Client/AEC/02001-12/IBR 13 map.dwg



2 WORKING DAYS  
BEFORE YOU DIG  
CALL TOLL FREE 800-352-2764  
OHIO UNIFORM PRESCRIPTION SERVICE





NOTE:

THE PRE & POST MINING LAND USE ON  
THE I.B.R. AREA IS PASTURELAND.

INCIDENTAL BOUNDARY REVISION MAP

PERMIT D-0425

(ROAD FOR ACCESS TO SHAFT SITE)

American Energy Corporation  
43521 Mayhugh Hill Road  
Beallsville, Ohio 43716



AREA TO BE INCLUDED UNDER  
L.B.R. 0.2 ACRES.



I.B.R. 0425-10



PERMIT D-0425

AAA PUBLIC WATER

--- E --- AERIAL POWER LINE

--- T --- U.G. TELEPHONE LINE

--- F --- FIBER OPTIC CABLE

--- G --- GAS LINE

--- P --- POWER POLE

[S] ENTRANCE SIGN

SITUATED IN SECTION 5, T-5 R-5,  
SUNSBURY TOWNSHIP, MONROE COUNTY, OHIO.

LOCATED ON THE WOODSFIELD  
USGS 7 1/2 MINUTE QUADRANGLE MAP.

SCALE: 1" = 400' CONTOUR INTERVAL: 20'

DATE PREPARED: JAN. 20, 2007

DATE REVISED: 4-30-07

I, THE UNDERSIGNED, HEREBY CERTIFY THAT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF THIS MAP IS TRUE AND CORRECT.

*Cathy M. Bullock*  
REGISTERED SURVEYOR, P.S. # 9199

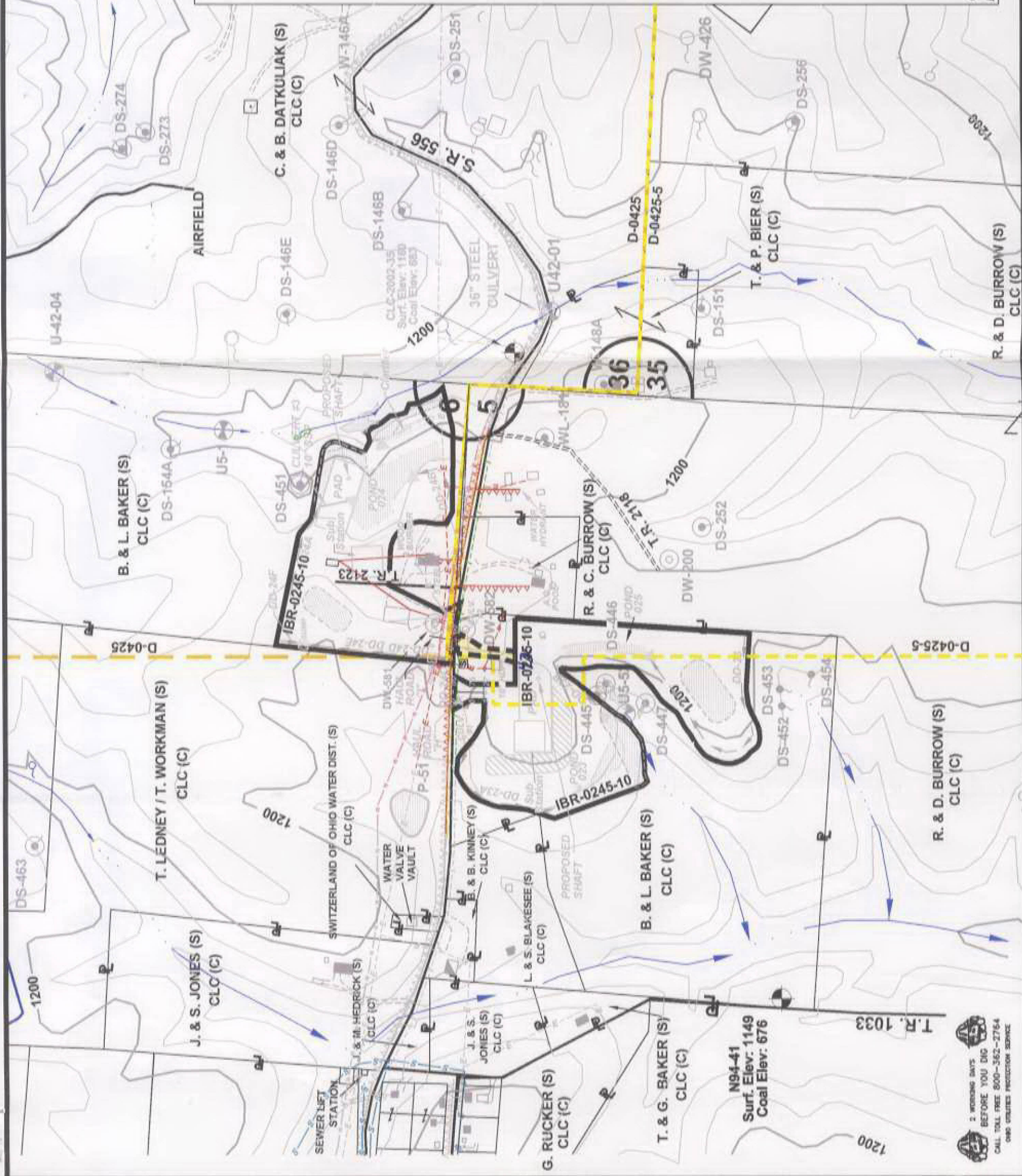
ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC  
THIS 30th DAY OF Apr., 2007.

*Ellen M. Green*

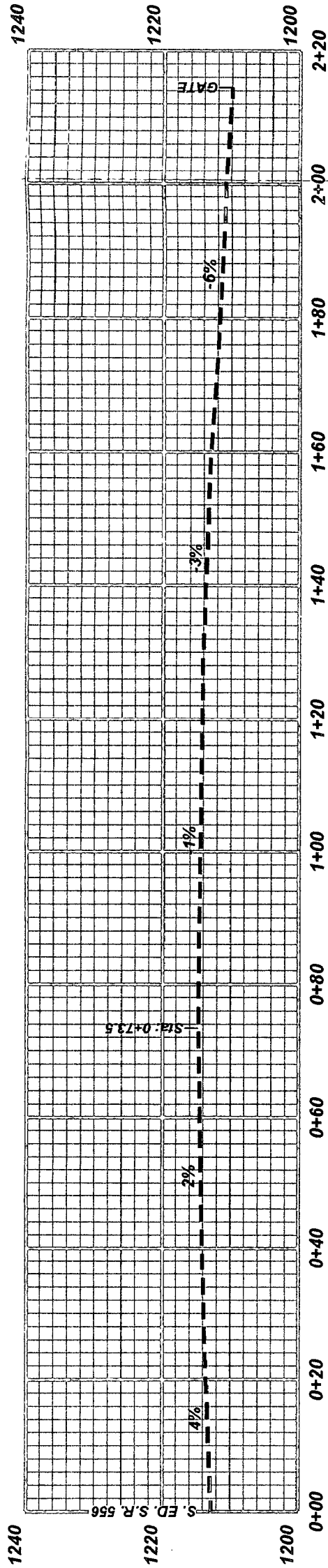
ELLEN M. GREEN, Notary Public  
State of Ohio

COMMIT: #02001-12 My Commission Expires September 23, 2011

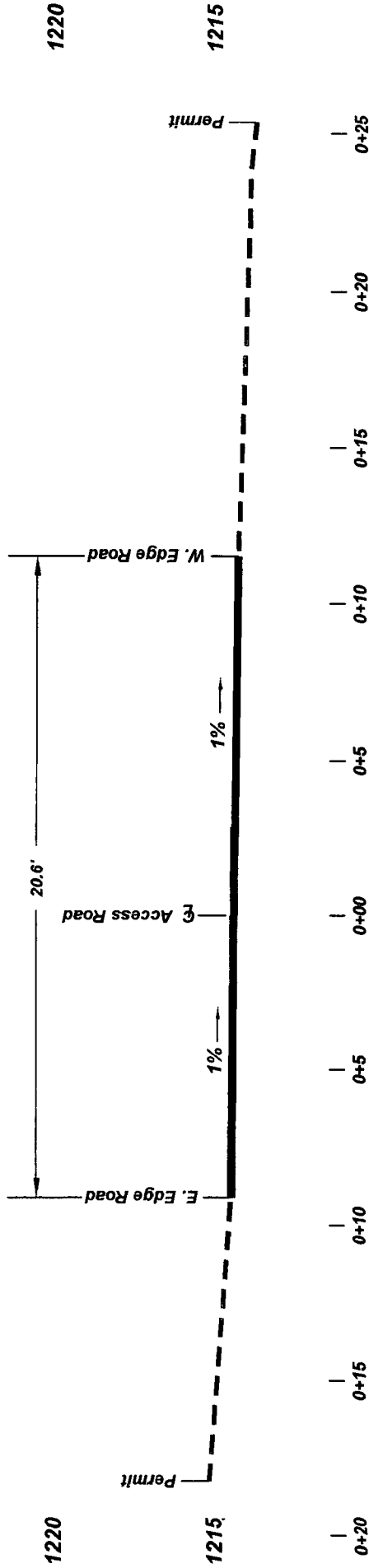
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PROFILE  
ACCESS ROAD "H"  
Scale 1" = 20'

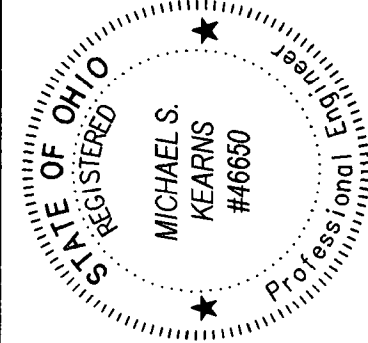


TYPICAL SECTION  
Scale 1" = 5'  
Station 0+73.5

NOTES:

- 1.) THE ROAD IS SURFACED WITH DURABLE, NON-TOXIC MATERIALS CONSISTING OF 8" OF #2 LIMESTONE BASE, 8" OF #4 LIMESTONE AND 3" OF #57 LIMESTONE COMPACTED.

--- EXISTING GRADE



*Michael S. Kearns*  
Michael S. Kearns P.E., M.S.  
4-30-07  
Date

ADDENDUM TO IBR, ITEM 34  
**AS-BUILT ACCESS ROAD "H"**

APPLICANT: AMERICAN ENERGY CORPORATION

SECTION: 5 TOWNSHIP: 5 RANGE: 5

TOWNSHIP: SUNSBURY COUNTY: MONROE

HORIZ. SCALE: AS SHOWN VERT. SCALE: AS SHOWN

DRAWN BY: SSU COMM. #02001-12

DATE: FEB. 22, 2007 REVISED: APRIL 30, 2007



State of Ohio  
Department of Natural Resources  
Division of Mineral Resources Management

**RECEIPT FOR CASH OR BOND REVENUE**

**AMERICAN ENERGY CORP**  
43521 Mayhugh Hill Rd.  
Twp Hwy 88  
Beallsville, OH 43716

Receipt No: **13227**  
Print Date: 14 Jun 2007  
OA App#: 277

Permit Type: Coal      Law: D No: 425

DMR Acct:	Type:	Check/Bond No:	Institution:	Amount:	Purpose:
S		ISM-2345	ROCKWOOD CASUALTY INS CO	\$2,250.00	Bond
					IBR 14

Memo: Application: IBR-14

-This receipt is to signify that revenue was received by the Ohio Division of Mineral Resources Management

-Please keep this receipt for your records

Thank you for your payment.

Distribution: ☐ Permittee ☐ Bond Agent ☐ File Columbus Office ☐ CAMBRIDGE

Received By:

*Tom Fuson*

AEC 07728

RECEIVED

JUN 11 2007

PAUL PICCOLINI

For internal administrative purposes only:

This bond is submitted for the following purpose:  
(check one and complete blank(s))

- ☐ The permit issued upon Application No. \_\_\_\_\_
- ☒ Coal Mining and Reclamation Permit No. D-0425  
(Includes IBR's and additional bond)
- ☐ Adjacent Area Application No. \_\_\_\_\_

This designation will not change or release the surety's obligation on bond owing under Chapter 1513.

**OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF MINERAL RESOURCES MANAGEMENT  
SURETY BOND NO. ISM-2346**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned

**American Energy Corporation**

**, 43521 Mayhugh Hill Road,  
Beallsville, OH 43716**

(Name of Permittee or Applicant)

(Address)

as principal, and **Rockwood Casualty Insurance Company**

of **654 Main Street, Rockwood, PA 15557**

as surety, are held and firmly bound unto the State of Ohio in the penal sum of

**Five hundred and 00/100-----**

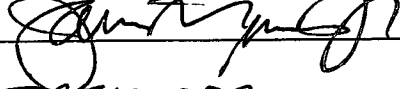
(\$ **500.00** ) for the payment of which sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, administrators, executors, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATIONS IS SUCH, that the above named principal shall faithfully comply with all requirements of Chapter 1513 of the Ohio Revised Code, rules adopted thereunder, and the permit issued pursuant thereto.


**THIS OBLIGATION IS NOT CANCELABLE BY THE SURETY AT ANY TIME FOR ANY REASON INCLUDING, BUT NOT LIMITED TO, NONPAYMENT OF PREMIUM OR BANKRUPTCY OF THE PRINCIPAL.** The surety will give prompt notice to the principal and **TO** the Chief of the Division of Mineral Resources Management of any notice received or action filed alleging the insolvency or bankruptcy of the surety, or alleging any violations of regulatory requirements that could result in suspension or revocation of the surety's license to do business. In the event the surety becomes unable to fulfill its obligations under the bond for any reason, notice shall be given immediately to the principal and to the Chief of the Division of Mineral Resources Management.

Now if said principal shall satisfactorily reclaim all lands affected by mining by said principal in the State of Ohio under a mining permit issued pursuant to the Chapter 1513 of the Ohio Revised Code and faithfully perform all of the requirements of Chapter 1513 of the Revised Code, rules promulgated thereunder, and the permit issued pursuant thereto, then this obligation shall be void, otherwise it shall remain in full force and effect.

Principal American Energy Corporation 06/01/07  
(Date)

By:   
TREASURER  
(Official Position)


Surety Rockwood Casualty Insurance Company 06/01/07  
(Date)

By:   
John P. Yediny, Pres. & Atty-In-Fact

Certificate of Surety

The undersigned authorized representative of the surety hereby certifies that the penal sum of the above bond is not in excess of ten percent of the surety company's capital surplus account, and that the sum of such bond and all other surety bonds issued by the surety company on any and all the permits of the principal are not in excess of thirty percent of the surety company's capital surplus account.

Surety Rockwood Casualty Insurance Company 06/01/07  
(Date)

By:   
John P. Yediny, Pres. & Atty-in-Fact  
Power of Attorney

When one signs by virtue of Power of Attorney for a surety company, such Power of Attorney must be filed with the bond. Where the Power of Attorney indicates that the person signing for the surety company is not an Ohio resident then the Ohio resident agent must countersign the bond.

COUNTERSIGNATURE  
(If Applicable)

\_\_\_\_\_  
(Ohio Resident Agent)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Zip Code)

When this bond is replaced either in part or in its entirety, the above bonding company shall be notified at the following address:

Name: Rockwood Casualty Insurance Company

Address: 654 Main Street  
Rockwood, PA 15557

# ROCKWOOD CASUALTY INSURANCE COMPANY

ISM-2346

654 Main Street  
Rockwood, PA 15557

## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ROCKWOOD CASUALTY INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania and having its principal office in the Borough of Rockwood, PA does hereby nominate, constitute and appoint:

John P. Yediny

its true and lawful agent and attorney-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship (NOT INCLUDING bonds without a fixed penalty or financial guarantee) provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

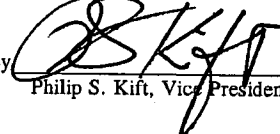
Five hundred thousand and 00/100----- (\$500,000.00)

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of ROCKWOOD CASUALTY INSURANCE COMPANY:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the ROCKWOOD CASUALTY INSURANCE COMPANY, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, ROCKWOOD CASUALTY INSURANCE COMPANY has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer the 30th day of March, 2007.

ROCKWOOD CASUALTY INSURANCE COMPANY

By   
Philip S. Kift, Vice President

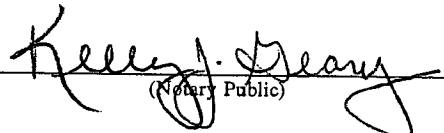
STATE OF PENNSYLVANIA  
COUNTY OF SOMERSET SS:

On this 30th day of March A.D. 2007, before me, a Notary Public of the Commonwealth of Pennsylvania, in and for the County of Somerset, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the Borough of Rockwood, the day and year first above written.

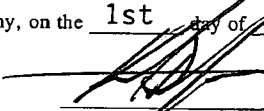
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Kelly J. Geary, Notary Public  
Rockwood Boro, Somerset County  
My Commission Expires March 23, 2011  
Member, Pennsylvania Association of Notaries

  
(Notary Public)

I, the undersigned Officer of the ROCKWOOD CASUALTY INSURANCE COMPANY, a Pennsylvania Corporation of Rockwood, PA, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 1st day of June, 2007.

  
Kurt D. Tipton, Sr. Vice President

AEC 07731